



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2017 Assembly Bill 486

Assembly Amendment 1

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BACKGROUND

Under current law, a person violates the prohibition of patronizing a prostitute if the person enters or remains in any place of prostitution with intent to have nonmarital sexual intercourse or to commit an act of sexual gratification, in public or in private, involving the sex organ of one person and the mouth or anus of another, masturbation or sexual contact with a prostitute. The penalty for violating the prohibition of patronizing a prostitute is a Class A misdemeanor, which is punishable by a fine not to exceed \$10,000, imprisonment not to exceed nine months, or both.

2017 ASSEMBLY BILL 486

2017 Assembly Bill 486 (“the bill”) increases the penalty to a Class I felony if the person patronizes a person who is under the age of 18 (“a child”). The penalty for a Class I felony is a fine not to exceed \$10,000, imprisonment not to exceed three years and six months, or both.

Under the bill, when prosecuting a violation of the prohibition of patronizing a child, the prosecution does not need to prove that the actor knew the age of the person. Also under the bill, it is not a defense that the actor reasonably believes that the person was not a child.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 (“the amendment”) increases the penalty for violating the crime of patronizing a child from a Class I felony to a Class G felony. The penalty for a Class G felony is a fine not to exceed \$25,000, imprisonment not to exceed 10 years, or both.

BILL HISTORY

Representative Kleefisch introduced the amendment on September 14, 2017. On September 21, 2017, the Assembly Committee on Criminal Justice and Public Safety voted to recommend adoption of the amendment by a vote of Ayes, 6; Noes, 3; and subsequently voted to recommend passage of the bill, as amended, by a vote of Ayes, 8; Noes, 1.

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