2017 SENATE BILL 35

February 9, 2017 - Introduced by Senators JOHNSON, WANGGAARD, CARPENTER, ERPENBACH, WIRCH, C. LARSON, OLSEN, L. TAYLOR, DARLING and SHILLING, cosponsored by Representatives KLEEFISCH, SPIROS, KOLSTE, CROWLEY, C. TAYLOR, SUBECK, CONSIDINE, BRANDTJEN, GOYKE, POPE, ZEPNICK, E. BROOKS, MURSAU, SCHRAA, BOWEN, KREMER, ANDERSON, QUINN, NOVAK, FIELDS, ZAMARRIPA, BILLINGS, GENRICH, SINICKI, SKOWRONSKI, SPREITZER, BERCEAU, TITTL and SARGENT. Referred to Committee on Judiciary and Public Safety.

AN ACT to amend 48.66 (1) (b); and to create 48.02 (10m), 48.02 (16m), 48.981 (1) (cu) and 48.981 (2) (a) 30. of the statutes; relating to: mandatory reporting of child abuse and neglect by juvenile correctional officers.

Analysis by the Legislative Reference Bureau
This bill adds juvenile correctional officers to the list of professionals who must report suspected abuse and neglect of children. Under the bill, a juvenile correctional officer is a person whose principal job duty is the supervision of juveniles held in a juvenile detention facility, a juvenile correctional facility, or a secured residential care center for children and youth. A person who must report suspected child abuse and neglect must do so if he or she has reasonable cause to suspect that a child seen in the course of his or her professional duties has been abused or neglected. A person who must report suspected child abuse and neglect must do so if he or she has reasonable cause to suspect that a child seen in the course of his or her professional duties has been abused or neglected. Mandated reporters are subject to criminal penalties if they fail to report.

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

SECTION 1. 48.02 (10m) of the statutes is created to read:

48.02 (10m) “Juvenile correctional facility” has the meaning given in s. 938.02 (10p).
SECTION 2. 48.02 (16m) of the statutes is created to read:

48.02 (16m) "Secured residential care center for children and youth" has the meaning given in s. 938.02 (15g).

SECTION 3. 48.66 (1) (b) of the statutes is amended to read:

48.66 (1) (b) Except as provided in s. 48.715 (6), the department of corrections may license a child welfare agency to operate a secured residential care center for children and youth, as defined in s. 938.02 (15g), for holding in secure custody juveniles who have been convicted under s. 938.183 or adjudicated delinquent under s. 938.183 or 938.34 (4d), (4h), or (4m) and referred to the child welfare agency by the court or the department of corrections and to provide supervision, care and maintenance for those juveniles.

SECTION 4. 48.981 (1) (cu) of the statutes is created to read:

48.981 (1) (cu) "Juvenile correctional officer" means a person employed by the state, a political subdivision of the state, a child welfare agency that is licensed under s. 48.66 (1) (b), or a private entity contracting under s. 938.222 whose principal duty is the supervision of juveniles held in a juvenile detention facility, a juvenile correctional facility, or a secured residential care center for children and youth.

SECTION 5. 48.981 (2) (a) 30. of the statutes is created to read:

48.981 (2) (a) 30. A juvenile correctional officer.