2019 ASSEMBLY BILL 60

March 7, 2019 – Introduced by Representatives STUCK, CROWLEY, KULP, SPREITZER and VRUWINK, cosponsored by Senator L. TAYLOR. Referred to Committee on Corrections.

1   AN ACT *to create* 118.163 (3m), 938.342 (3) and 938.355 (6m) (ac) of the statutes;

2   **relating to:** prohibiting the use of electronic monitoring for juveniles in

3   truancy cases.

Analysis by the Legislative Reference Bureau

This bill prohibits a municipal court or court assigned to exercise jurisdiction under the Juvenile Justice Code (juvenile court) from ordering the use of electronic monitoring for children in truancy cases. Under current law, a municipality may adopt an ordinance that prohibits a child from being absent from school without an acceptable excuse for part or all of any day (truancy) or for part or all of five or more days (habitual truancy) on which school is held during a school semester and from dropping out of school. Current law prescribes the dispositional orders that may be authorized under these ordinances and the sanctions that a court may impose for a violation of a court order. This bill prohibits a municipality from authorizing the use of electronic monitoring of a child as a disposition for a truancy, habitual truancy, or dropout case and prohibits a court from imposing electronic monitoring as a part of a disposition or sanction in a truancy, habitual truancy, or dropout case.

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

4   SECTION 1. 118.163 (3m) of the statutes is created to read:

1   118.163 **(3m)** An ordinance enacted under this section may not allow a court

2   to impose electronic monitoring of a child as part of a disposition entered under sub.

3   (1), (1m), or (2m).

4   SECTION 2. 938.342 (3) of the statutes is created to read:

5   938.342 **(3)** PROHIBITION. The court may not require a child to be monitored by

6   an electronic monitoring system in an order under this section.

7   SECTION 3. 938.355 (6m) (ac) of the statutes is created to read:

8   938.355 **(6m)** (ac) *Prohibition.* The court may not require a child to be

9   monitored by an electronic monitoring system in an order under this subsection.

10   **SECTION 4. Initial applicability.**

11   (1) This act first applies to a truancy or habitual truancy dispositional order

12   granted on the effective date of this subsection.

13   **(END)**