State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-3006/1
MJW:cdc

# 2025 SENATE BILL 266

May 20, 2025 - Introduced by Senator WANGGAARD, cosponsored by Representatives WITTKE, O'CONNOR, B. JACOBSON, SNYDER, VANDERMEER, STEFFEN, MOSES, PENTERMAN, DITTRICH, MURPHY, KNODL, BEHNKE, PIWOWARCZYK, MURSAU and KREIBICH. Referred to Committee on Judiciary and Public Safety.

AN ACT ***to amend*** 939.616 (title), 940.302 (2) (a) (intro.), 940.302 (2) (b), 948.051 (1) and 948.051 (2); ***to create*** 939.616 (1s), 939.6175 and 939.74 (2) (av) of the statutes; **relating to:** human trafficking and trafficking of a child and providing a penalty.

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***Analysis by the Legislative Reference Bureau***

This bill increases the penalty for human trafficking from a Class D felony to a Class C felony, increases the penalty for trafficking a child from a Class C felony to a Class B felony, and creates a mandatory minimum term of confinement in prison of 10 years for human trafficking and 15 years for trafficking a child.

Under current law, a Class D felony is punishable by a fine of up to $100,000 and a term of imprisonment not to exceed 25 years, which, under a bifurcated sentence, is a maximum term of confinement in prison of 15 years followed by a maximum term of extended supervision of 10 years; a Class C felony is punishable by a fine of up to $100,000 and a term of imprisonment not to exceed 40 years, which, under a bifurcated sentence, is a maximum term of confinement in prison of 25 years followed by a maximum term of extended supervision of 15 years; and a Class B felony is punishable by a term of imprisonment not to exceed 60 years, which, under a bifurcated sentence, is a maximum term of confinement in prison of 40 years followed by a maximum term of extended supervision of 20 years. Under

current law, there is no mandatory minimum term of confinement for human trafficking or trafficking of a child.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

**SECTION 1.** 939.616 (title) of the statutes is amended to read:

**939.616** (title) **Mandatory minimum sentence for child sex offenses and child trafficking.**

**SECTION 2.** 939.616 (1s) of the statutes is created to read:

939.616 **(1s)** If a person is convicted of a violation of s. 948.051, the court shall impose a bifurcated sentence under s. 973.01. The term of confinement in prison portion of the bifurcated sentence shall be at least 15 years. Otherwise the penalties for the crime apply, subject to any applicable penalty enhancement.

**SECTION 3.** 939.6175 of the statutes is created to read:

**939.6175 Minimum sentence for human trafficking. (1)** If a person is convicted of a violation of s. 940.302, the court shall impose a bifurcated sentence under s. 973.01. The term of confinement in prison portion of the bifurcated sentence shall be at least 10 years. Otherwise the penalties for the crime apply, subject to any applicable penalty enhancement.

**SECTION 4.** 939.74 (2) (av) of the statutes is created to read:

939.74 **(2)** (av) A prosecution for a violation of s. 940.302 may be commenced within 10 years after the commission of the violation.

**SECTION 5.** 940.302 (2) (a) (intro.) of the statutes is amended to read:

940.302 **(2)** (a) (intro.) Except as provided in s. 948.051, whoever knowingly engages in trafficking is guilty of a Class ~~D~~ C felony if all of the following apply:

**SECTION 6.** 940.302 (2) (b) of the statutes is amended to read:

940.302 **(2)** (b) Whoever benefits in any manner from a violation of par. (a) is guilty of a Class ~~D~~ C felony if the person knows or reasonably should have known that the benefits come from or are derived from an act or scheme described in par. (a).

**SECTION 7.** 948.051 (1) of the statutes is amended to read:

948.051 **(1)** Whoever knowingly recruits, entices, provides, obtains, harbors, transports, patronizes, or solicits or knowingly attempts to recruit, entice, provide, obtain, harbor, transport, patronize, or solicit any child for the purpose of commercial sex acts, as defined in s. 940.302 (1) (a), is guilty of a Class ~~C~~ B felony.

**SECTION 8.** 948.051 (2) of the statutes is amended to read:

948.051 **(2)** Whoever benefits in any manner from a violation of sub. (1) is guilty of a Class ~~C~~ B felony if the person knows that the benefits come from an act described in sub. (1).

**(END)**