

1981 Assembly Bill 306

Date published: March 30, 1982

CHAPTER 145 , Laws of 1981

AN ACT to amend 52.05 (1) of the statutes, relating to elements of and defenses to criminal abandonment.

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

SECTION 1. 52.05 (1) of the statutes is amended to read:

52.05 (1) PENALTY. Any person who, ~~without just cause,~~ deserts or wilfully neglects or refuses to provide for the support and maintenance of his or her spouse or child under 18 years (legitimate or born out of wedlock) in destitute or necessitous circumstances shall be fined not more than \$500 or imprisoned not more than 2 years or both. It is a defense to criminal liability that the person has just cause to desert, wilfully neglect or refuse to provide support and maintenance. The parent of any child born out of wedlock who has made provision for the support of such child by giving bond, or by an agreement approved by a court under s. 767.45 (2), on which such parent is not in default, shall not be subject to this section.

SECTION 2. **Effective date.** This act takes effect on July 1, 1981, or on the day following publication, whichever is later.
