

1981 Senate Bill 572

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**CHAPTER 310 , Laws of 1981**

AN ACT to repeal and recreate 940.225 (6) of the statutes, relating to spousal sexual assault.

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

PREFATORY NOTE: This proposal repeals the spousal exception to the sexual assault law and creates a provision intended to negate any presumption that a person is incapable of committing sexual assault because of marriage to the victim.

SECTION 1. 940.225 (6) of the statutes is repealed and recreated to read:

940.225 (6) MARRIAGE NOT A BAR TO PROSECUTION. A defendant shall not be presumed to be incapable of violating this section because of marriage to the complainant.

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