

1993 Senate Bill 620

Date of enactment: April 6, 1994
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1993 WISCONSIN ACT 218

AN ACT to repeal 940.227 (1); to renumber 940.227 (title); to renumber and amend 940.227 (2) and 940.227 (3); and to amend 48.78 (3), 48.981 (1) (a) 6 and 302.045 (2) (c) of the statutes, relating to: forcing children to view sexual activity (suggested as remedial legislation by the legislative reference bureau).

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the legislative reference bureau and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of this bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 48.78 (3) of the statutes, as affected by 1993 Wisconsin Acts 16, 92 and 95, is amended to read:

48.78 (3) If a child adjudged delinquent on the basis of a violation of s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235, 941.237, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2) (a), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02, 948.03, 948.05, 948.055, 948.60, 948.605 or 948.61 or any crime specified in ch. 940 has escaped from a secured correctional facility, has been allowed to leave a secured correctional facility for a specified time period and is absent from the facility for more than 12 hours after the expiration of the specified period or has run away from the child's placement in the community while under corrective sanctions supervision, the department may release the child's name and any information about the child the department determines to be necessary for the protection of the public or to secure the child's return to the facility or placement. The department shall promulgate rules establishing guidelines for the release of the child's name or information about the child to the public.

SECTION 2. 48.981 (1) (a) 6. of the statutes is amended to read:

48.981 (1) (a) 6. A violation of s. ~~940.227~~ 948.055.

SECTION 3. 302.045 (2) (c) of the statutes is amended to read:

302.045 (2) (c) The inmate is incarcerated regarding a violation other than a crime specified in ch. 940 or s. 948.02, 948.03, 948.05, 948.055, 948.06, 948.07 or 948.08.

SECTION 4. 940.227 (title) of the statutes is renumbered 948.055 (title).

SECTION 5. 940.227 (1) of the statutes is repealed.

SECTION 6. 940.227 (2) of the statutes is renumbered 948.055 (1) and amended to read:

948.055 (1) Whoever, by use or threat of force or violence, causes a child who has not attained 18 years of age to view sexually explicit conduct may be penalized as provided in sub. (3) ~~(2)~~.

NOTE: This bill renumbers s. 940.227, regarding the crime of forcing children to view sexual activity, to s. 948.055 to include the crime in the statutory chapter relating to crimes against children, rather than in the chapter relating to crimes against life and bodily security. Separate bills in the 1987 legislative session creating the crime of forcing children to view sexual activity and the chapter relating to crimes against children were enacted on the same day, which impeded timely renumbering during the 1987 session.

SECTION 7. 940.227 (3) of the statutes is renumbered 948.055 (2), and 948.055 (2) (intro.), as renumbered, is amended to read:

948.055 (2) (intro.) Whoever violates sub. (2) ~~(1)~~ is guilty of:

SECTION 8. Initial applicability. This act first applies to offenses occurring on the effective date of this SECTION.
