

# State of Wisconsin



2005 Assembly Bill 62

Date of enactment: **August 15, 2005**

Date of publication\*: **August 29, 2005**

## 2005 WISCONSIN ACT 32

AN ACT *to create* 941.39 and 973.049 of the statutes; **relating to:** sentencing discretion of a court and providing a penalty.

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

**SECTION 1.** 941.39 of the statutes is created to read:  
**941.39 Victim or co-actor contact.** Whoever intentionally violates a court order issued under s. 973.049 (2) is guilty of a Class A misdemeanor.

**SECTION 2.** 973.049 of the statutes is created to read:  
**973.049 Sentencing; restrictions on contact. (1)** In this section:

(a) "Co-actor" means any individual who was a party to a crime considered at sentencing, whether or not the individual was charged with or convicted of the crime considered at sentencing.

(b) "Crime considered at sentencing" means any crime for which the defendant was convicted or any read-in crime, as defined in s. 973.20 (1g) (b).

(2) When a court imposes a sentence on an individual or places an individual on probation for the conviction of a crime, the court may prohibit the individual from contacting victims of, or co-actors in, a crime considered at sentencing during any part of the individual's sentence or period of probation if the court determines that the prohibition would be in the interest of public protection. For purposes of the prohibition, the court may determine who are the victims of any crime considered at sentencing.

(3) If a court issues an order under sub. (2), the court shall inform the individual of the prohibition and of the penalty under s. 941.39.

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\* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].