



**SENATE SUBSTITUTE AMENDMENT 1,
TO 1995 SENATE BILL 182**

December 27, 1995 - Offered by COMMITTEE ON JUDICIARY.

1 **AN ACT to repeal** 175.45 (9); **to renumber** 175.45 (title), 175.45 (1) (intro.),
2 175.45 (3) (title), 175.45 (3) (a) (intro.), 175.45 (6), 175.45 (7) (title), 175.45 (7)
3 (b), 980.11 (2) (a), 980.11 (2) (b) and 980.11 (2) (c); **to renumber and amend**
4 175.45 (1) (a), 175.45 (1) (b), 175.45 (1) (c), 175.45 (1) (d), 175.45 (1) (e), 175.45
5 (2) (title), 175.45 (2), 175.45 (3) (a) 1., 175.45 (3) (a) 2., 175.45 (3) (a) 3., 175.45
6 (3) (a) 4., 175.45 (3) (b), 175.45 (4), 175.45 (5), 175.45 (7) (a), 175.45 (7) (c), 175.45
7 (8), 971.17 (1m), 971.17 (4m) (b) and 971.17 (6m) (b); **to amend** 51.20 (13) (cr),
8 51.375 (1) (a) and (d), 165.76 (2) (b) 3., 165.76 (3), 165.765 (1), 165.765 (2) (a),
9 165.77 (2) (b), 165.77 (3), 175.45 (2), 175.45 (3) (b), 175.45 (4), 175.45 (6) (a),
10 175.45 (7) (title), 175.45 (7) (a), 175.45 (8), 175.45 (9), 301.132 (1) (c), 938.185
11 (3), 938.34 (15) (title), 938.34 (15) (a) 1., 938.34 (15) (a) 2., 942.06 (1), 942.06 (2),
12 950.045, 971.17 (4m) (title), 971.17 (4m) (c), 971.17 (4m) (d), 971.17 (6m) (title),
13 971.17 (6m) (c), 971.17 (6m) (d), 971.19 (9), 973.047 (title), 973.047 (1) (a),
14 973.047 (1) (b), 980.11 (title), 980.11 (2) (intro.), 980.11 (3) and 980.11 (4); **to**
15 **repeal and recreate** 165.76 (3), 165.765 (1), 165.765 (2) (a), 165.77 (2) (b) and
16 165.77 (3); and **to create** 20.410 (1) (gc), 48.396 (2) (f), 51.20 (13) (ct), 51.30 (3)

1 (d), 51.30 (4) (b) 24., 51.375, 165.76 (1) (d), 165.8285, 301.132, 301.45 (1) (bm),
2 301.45 (1) (dd), 301.45 (1) (dh), 301.45 (1) (dp), 301.45 (1) (dt), 301.45 (2) (a),
3 301.45 (2) (b), 301.45 (2) (d), 301.45 (2) (e), 301.45 (3) (a) 1m., 301.45 (3) (a) 2m.,
4 301.45 (3) (a) 3g., 301.45 (3) (a) 3r., 301.45 (3) (b) 1m., 301.45 (3) (b) 3., 301.45
5 (3) (b) 3m., 301.45 (4m), 301.45 (5) (a) 1m., 301.45 (5) (a) 3m., 301.45 (5) (b),
6 301.45 (6) (c), 301.45 (9), 301.46, 938.34 (15m), 938.396 (2) (em), 939.646, 942.06
7 (2m), 971.17 (1m) (b), 971.17 (4m) (b) 2., 971.17 (6m) (b) 2., 973.048, 980.063 and
8 980.11 (2) (bm) of the statutes; **relating to:** sex offender registration
9 requirements, the release to certain persons of information concerning sex
10 offenders required to register, requiring persons who are found to be sexually
11 violent persons to provide biological specimens for deoxyribonucleic acid
12 analysis, administering lie detector tests to sex offenders, granting
13 rule-making authority, making an appropriation and providing a penalty.

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

14 **SECTION 1.** 20.410 (1) (gc) of the statutes is created to read:

15 20.410 (1) (gc) *Sex offender honesty testing.* All moneys received from probation
16 and parole clients who are required to pay for polygraph examinations, as prescribed
17 by rule in accordance with s. 301.132 (3), for expenditures related to the lie detector
18 test program for probationers and parolees under s. 301.132.

19 **SECTION 2.** 48.396 (2) (f) of the statutes is created to read:

20 48.396 (2) (f) Upon request of the department of corrections to review court
21 records for the purpose of obtaining information concerning a child required to
22 register under s. 301.45, the court shall open for inspection by authorized
23 representatives of the department of corrections the records of the court relating to

1 any child who has been found in need of protection or services for an offense specified
2 in s. 301.45 (1) (a). The department of corrections may disclose information that it
3 obtains under this paragraph as provided under s. 301.46.

4 **SECTION 3.** 51.20 (13) (cr) of the statutes, as affected by 1995 Wisconsin Act 77,
5 is amended to read:

6 51.20 (13) (cr) If the subject individual is before the court on a petition filed
7 under a court order under s. 938.30 (5) (c) 1. and is found to have committed a
8 violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025, the court shall require
9 the individual to provide a biological specimen to the state crime laboratories for
10 deoxyribonucleic acid analysis ~~and to comply with the reporting and testing~~
11 ~~requirements of s. 175.45.~~

12 **SECTION 4.** 51.20 (13) (ct) of the statutes is created to read:

13 51.20 (13) (ct) 1. If the subject individual is before the court on a petition filed
14 under a court order under s. 938.30 (5) (c) 1. and is found to have committed a
15 violation, or to have solicited, conspired or attempted to commit a violation, of s.
16 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,
17 948.07, 948.08 or 948.11, the court shall require the individual to comply with the
18 reporting requirements under s. 301.45.

19 2. Except as provided in subd. 1., if the subject individual is before the court
20 on a petition filed under a court order under s. 938.30 (5) (c) 1. and is found to have
21 committed any violation, or to have solicited, conspired or attempted to commit any
22 violation, of ch. 940, 944 or 948 or ss. 943.01 to 943.15, the court may require the
23 subject individual to comply with the reporting requirements under s. 301.45 if the
24 court determines that the underlying conduct was sexually motivated, as defined in

1 s. 980.01 (5), and that it would be in the interest of public protection to have the
2 subject individual report under s. 301.45.

3 **SECTION 5.** 51.30 (3) (d) of the statutes is created to read:

4 51.30 (3) (d) The department of corrections shall have access to the files and
5 records of court proceedings under this chapter concerning an individual required to
6 register under s. 301.45. The department of corrections may disclose information
7 that it obtains under this paragraph as provided under s. 301.46.

8 **SECTION 6.** 51.30 (4) (b) 24. of the statutes is created to read:

9 51.30 (4) (b) 24. To the department of corrections for the purpose of obtaining
10 information concerning a person required to register under s. 301.45. The
11 department of corrections may disclose information that it receives under this
12 subdivision as provided under s. 301.46.

13 **SECTION 7.** 51.375 of the statutes is created to read:

14 **51.375 Honesty testing of sex offenders. (1)** In this section:

15 (a) "Community placement" means conditional transfer into the community
16 under s. 51.35 (1) or conditional release under s. 971.17.

17 (b) "Lie detector" has the meaning given in s. 111.37 (1) (b).

18 (c) "Polygraph" has the meaning given in s. 111.37 (1) (c).

19 (d) "Sex offender" means a person committed to the department who meets any
20 of the criteria specified in s. 175.45 (1), regardless of whether he or she is required
21 to register under s. 175.45 (3).

22 (2) The department may require, as a condition of a community placement, that
23 a sex offender submit to a lie detector test when directed to do so by the department.

24 (3) The department shall promulgate rules establishing a lie detector test
25 program for sex offenders who are in a community placement.

1 **SECTION 8.** 51.375 (1) (a) and (d) of the statutes, as created by 1995 Wisconsin
2 Act (this act), are amended to read:

3 51.375 (1) (a) “Community placement” means conditional transfer into the
4 community under s. 51.35 (1) ~~or~~, conditional release under s. 971.17, parole from a
5 commitment for specialized treatment under ch. 975 or conditional release under ch.
6 980.

7 (d) “Sex offender” means a person committed to the department who meets any
8 of the criteria specified in s. 175.45 (1), ~~regardless of whether he or she is required~~
9 ~~to register under s. 175.45 (3)~~ 301.45 (1).

10 **SECTION 9.** 165.76 (1) (d) of the statutes is created to read:

11 165.76 (1) (d) Is found to be a sexually violent person under ch. 980 on or after
12 June 2, 1994.

13 **SECTION 10.** 165.76 (2) (b) 3. of the statutes is amended to read:

14 165.76 (2) (b) 3. If the person has been committed to the department of health
15 and social services under s. 51.20 or 971.17 or found to be a sexually violent person
16 under ch. 980, he or she shall provide the specimen under par. (a) as directed by the
17 department of health and social services.

18 **SECTION 11.** 165.76 (3) of the statutes is amended to read:

19 165.76 (3) If a person is required to submit a biological specimen under s. 48.34
20 (15), 51.20 (13) (cr), 971.17 (1m) ~~or (a)~~, 973.047 or 980.063, he or she shall comply with
21 that requirement and is not required to comply with this section.

22 **SECTION 12.** 165.76 (3) of the statutes, as affected by 1995 Wisconsin Acts 77
23 and (this act), is repealed and recreated to read:

1 165.76 (3) If a person is required to submit a biological specimen under s. 51.20
2 (13) (cr), 938.34 (15), 971.17 (1m) (a), 973.047 or 980.063, he or she shall comply with
3 that requirement and is not required to comply with this section.

4 **SECTION 13.** 165.765 (1) of the statutes is amended to read:

5 165.765 (1) Whoever intentionally fails to comply with a requirement to submit
6 a biological specimen under s. 48.34 (15), 165.76 ~~or~~, 973.047 or 980.063 may be fined
7 not more than \$10,000 or imprisoned for not more than 9 months or both.

8 **SECTION 14.** 165.765 (1) of the statutes, as affected by 1995 Wisconsin Acts 77
9 and (this act), is repealed and recreated to read:

10 165.765 (1) Whoever intentionally fails to comply with a requirement to submit
11 a biological specimen under s. 165.76, 938.34 (15), 973.047 or 980.063 may be fined
12 not more than \$10,000 or imprisoned for not more than 9 months or both.

13 **SECTION 15.** 165.765 (2) (a) of the statutes is amended to read:

14 165.765 (2) (a) Any physician, registered nurse, medical technologist,
15 physician assistant or person acting under the direction of a physician who obtains
16 a biological specimen under s. 48.34 (15), 165.76 ~~or~~, 973.047 or 980.063 is immune
17 from any civil or criminal liability for the act, except for civil liability for negligence
18 in the performance of the act.

19 **SECTION 16.** 165.765 (2) (a) of the statutes, as affected by 1995 Wisconsin Acts
20 77 and (this act), is repealed and recreated to read:

21 165.765 (2) (a) Any physician, registered nurse, medical technologist,
22 physician assistant or person acting under the direction of a physician who obtains
23 a biological specimen under s. 165.76, 938.34 (15), 973.047 or 980.063 is immune
24 from any civil or criminal liability for the act, except for civil liability for negligence
25 in the performance of the act.

1 **SECTION 17.** 165.77 (2) (b) of the statutes is amended to read:

2 165.77 (2) (b) Paragraph (a) does not apply to specimens received under s. 48.34
3 (15), 51.20 (13) (cr), 165.76, 971.17 (1m) ~~or (a)~~, 973.047 or 980.063.

4 **SECTION 18.** 165.77 (2) (b) of the statutes, as affected by 1995 Wisconsin Acts
5 77 and (this act), is repealed and recreated to read:

6 165.77 (2) (b) Paragraph (a) does not apply to specimens received under s. 51.20
7 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047 or 980.063.

8 **SECTION 19.** 165.77 (3) of the statutes is amended to read:

9 165.77 (3) If the laboratories receive a human biological specimen under s.
10 48.34 (15), 51.20 (13) (cr), 165.76, 971.17 (1m) ~~or (a)~~, 973.047 or 980.063, the
11 laboratories shall analyze the deoxyribonucleic acid in the specimen. The
12 laboratories shall maintain a data bank based on data obtained from
13 deoxyribonucleic acid analysis of those specimens. The laboratories may compare
14 the data obtained from one specimen with the data obtained from other specimens.
15 The laboratories may make data obtained from any analysis and comparison
16 available to law enforcement agencies in connection with criminal or delinquency
17 investigations and, upon request, to any prosecutor, defense attorney or subject of
18 the data. The data may be used in criminal and delinquency actions and proceedings.
19 In this state, the use is subject to s. 972.11 (5). The laboratories shall destroy
20 specimens obtained under this subsection after analysis has been completed and the
21 applicable court proceedings have concluded.

22 **SECTION 20.** 165.77 (3) of the statutes, as affected by 1995 Wisconsin Acts 77
23 and (this act), is repealed and recreated to read:

24 165.77 (3) If the laboratories receive a human biological specimen under s.
25 51.20 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047 or 980.063, the

1 laboratories shall analyze the deoxyribonucleic acid in the specimen. The
2 laboratories shall maintain a data bank based on data obtained from
3 deoxyribonucleic acid analysis of those specimens. The laboratories may compare
4 the data obtained from one specimen with the data obtained from other specimens.
5 The laboratories may make data obtained from any analysis and comparison
6 available to law enforcement agencies in connection with criminal or delinquency
7 investigations and, upon request, to any prosecutor, defense attorney or subject of
8 the data. The data may be used in criminal and delinquency actions and proceedings.
9 In this state, the use is subject to s. 972.11 (5). The laboratories shall destroy
10 specimens obtained under this subsection after analysis has been completed and the
11 applicable court proceedings have concluded.

12 **SECTION 21.** 165.8285 of the statutes is created to read:

13 **165.8285 Transaction information for management of enforcement**
14 **system; department of corrections records.** (1) The department of justice shall,
15 through the transaction information for management of enforcement system,
16 provide local law enforcement agencies with access to the registry of sex offenders
17 maintained by the department of corrections under s. 301.45.

18 (2) The department of justice shall provide the department of corrections with
19 access to the transaction information for management of enforcement system
20 administrative message process.

21 (3) Beginning on the effective date of this subsection [revisor inserts date],
22 the department of justice and the department of corrections shall cooperate in using
23 the transaction information for management of enforcement system, and in
24 developing or using any other computerized or direct electronic data transfer system,
25 in anticipation of the transfer of the sex offender registry from the department of

1 justice to the department of corrections under 1995 Wisconsin Act (this act) and
2 for the purpose of providing access to or disseminating information from the sex
3 offender registry under s. 301.45.

4 **SECTION 22.** 175.45 (title) of the statutes is renumbered 301.45 (title).

5 **SECTION 23.** 175.45 (1) (intro.) of the statutes is renumbered 301.45 (1) (intro.).

6 **SECTION 24.** 175.45 (1) (a) of the statutes is renumbered 301.45 (1) (a) and
7 amended to read:

8 301.45 (1) (a) Is convicted, adjudicated delinquent or found in need of
9 protection or services on or after December 25, 1993, for any violation, or for the
10 solicitation, conspiracy or attempt to commit any violation, of s. 940.22 (2), 940.225
11 (1) or (2) or (3), 944.06, 948.02 (1) or (2) or (3), 948.025, 948.05, 948.055, 948.06, 948.07,
12 948.08 or 948.11.

13 **SECTION 25.** 175.45 (1) (b) of the statutes, as affected by 1995 Wisconsin Act 77,
14 is renumbered 301.45 (1) (b) and amended to read:

15 301.45 (1) (b) Is in prison, a secured correctional facility, as defined in s. 938.02
16 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or on
17 probation, parole, supervision or aftercare supervision on or after December 25,
18 1993, for any violation, for the solicitation, conspiracy or attempt to commit any
19 violation, of s. 940.22 (2), 940.225 (1) or (2) or (3), 944.06, 948.02 (1) or (2) or (3), 948.025,
20 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11.

21 **SECTION 26.** 175.45 (1) (c) of the statutes is renumbered 301.45 (1) (c) and
22 amended to read:

23 301.45 (1) (c) Is found not guilty or not responsible by reason of mental disease
24 or defect on or after December 25, 1993, and committed under s. 51.20 or 971.17 for
25 any violation, or for the solicitation, conspiracy or attempt to commit any violation,

1 of s. 940.22 (2), 940.225 (1) or, (2) or (3), 944.06, 948.02 (1) or (2) or, 948.025, 948.05,
2 948.055, 948.06, 948.07, 948.08 or 948.11.

3 **SECTION 27.** 175.45 (1) (d) of the statutes is renumbered 301.45 (1) (d) and
4 amended to read:

5 301.45 (1) (d) Is in institutional care or on conditional transfer under s. 51.35
6 (1) or conditional release under s. 971.17 on or after December 25, 1993, for any
7 violation, or for the solicitation, conspiracy or attempt to commit any violation, of s.
8 940.22 (2), 940.225 (1) or, (2) or (3), 944.06, 948.02 (1) or (2) or, 948.025, 948.05,
9 948.055, 948.06, 948.07, 948.08 or 948.11.

10 **SECTION 28.** 175.45 (1) (e) of the statutes, as affected by 1995 Wisconsin Act 77,
11 is renumbered 301.45 (1) (e) and amended to read:

12 301.45 (1) (e) Is ordered by a court under s. 51.20 (13) ~~(or) (ct)~~, 938.34 ~~(15)~~ (15m),
13 971.17 (1m) (b) 2. or 973.047 973.048 to comply with the reporting requirements
14 under this section.

15 **SECTION 29.** 175.45 (2) (title) of the statutes is renumbered 301.45 (2) (title) and
16 amended to read:

17 301.45 (2) (title) WHAT INFORMATION MUST BE PROVIDED, BY WHOM AND WHEN.

18 **SECTION 30.** 175.45 (2) of the statutes is amended to read:

19 175.45 (2) WHAT MUST BE PROVIDED. A person subject to sub. (1) shall provide
20 information about his or her home address, place of school enrollment, place of
21 employment and employment duties to the department of justice corrections in
22 accordance with the rules under sub. (8).

23 **SECTION 31.** 175.45 (2) of the statutes, as affected by 1995 Wisconsin Act
24 (this act), is renumbered 301.45 (2) (c) and amended to read:

1 301.45 (2) (c) ~~A. If the department of health and social services has supervision~~
2 ~~over a person subject to sub. (1), that department, with the assistance of the person,~~
3 shall provide the information about ~~his or her home address, place of school~~
4 ~~enrollment, place of employment and employment duties specified in par. (a) to the~~
5 department of corrections in accordance with the rules under sub. (8).

6 **SECTION 32.** 175.45 (3) (title) of the statutes is renumbered 301.45 (3) (title).

7 **SECTION 33.** 175.45 (3) (a) (intro.) of the statutes is renumbered 301.45 (3) (a)
8 (intro.).

9 **SECTION 34.** 175.45 (3) (a) 1. of the statutes is renumbered 301.45 (3) (a) 1. and
10 amended to read:

11 301.45 (3) (a) 1. If the person has been placed on probation or supervision, he
12 or she is subject to this subsection ~~after he or she is discharged from~~ upon being
13 placed on probation or supervision.

14 **SECTION 35.** 175.45 (3) (a) 2. of the statutes, as affected by 1995 Wisconsin Act
15 77, is renumbered 301.45 (3) (a) 2. and amended to read:

16 301.45 (3) (a) 2. If the person has been sentenced to prison or placed in a secured
17 correctional facility or a secured child caring institution, he or she is subject to this
18 subsection ~~after he or she is discharged from~~ upon being released on parole or
19 aftercare supervision.

20 **SECTION 36.** 175.45 (3) (a) 3. of the statutes is renumbered 301.45 (3) (a) 3. and
21 amended to read:

22 301.45 (3) (a) 3. If the person has been committed under s. 51.20 or 971.17, he
23 or she is subject to this subsection ~~after~~ upon being placed on conditional release
24 under s. 971.17 or on a conditional transfer under s. 51.35 (1) or, if he or she was not

1 placed on conditional release or on a conditional transfer, before he or she is
2 terminated under s. 971.17 (5) or discharged under s. 51.35 (4) or 971.17 (6).

3 **SECTION 37.** 175.45 (3) (a) 4. of the statutes is renumbered 301.45 (3) (a) 4. and
4 amended to read:

5 301.45 (3) (a) 4. If subd. 1., 1m., ~~2. or 2m.~~, 3., 3g. or 3r. does not apply, the person
6 is subject to this subsection after he or she is sentenced or receives a disposition.

7 **SECTION 38.** 175.45 (3) (b) of the statutes is amended to read:

8 175.45 (3) (b) A person who is subject to par. (a) shall notify the department of
9 justice corrections once each calendar year, as directed by the department, of his or
10 her current information specified in sub. (2). The department shall annually notify
11 registrants of their need to comply with this requirement. Also, probation and parole
12 agents, aftercare agents and agencies providing supervision shall notify any client
13 who is covered under sub. (1) of this requirement prior to the client's expected date
14 of discharge from probation, parole, supervision or aftercare supervision. Failure to
15 receive this notice from the department, a probation and parole agent, an aftercare
16 agent or an agency providing supervision is not a defense to liability under sub. (6).

17 **SECTION 39.** 175.45 (3) (b) of the statutes, as affected by 1995 Wisconsin Act
18 (this act), is renumbered 301.45 (3) (b) 1. and amended to read:

19 301.45 (3) (b) 1. ~~A~~ Except as provided in subd. 1m., a person who is subject
20 to par. (a) shall notify the department of ~~corrections~~ once each calendar year, as
21 directed by the department, of his or her current information specified in sub. (2) (a).
22 The department shall annually notify registrants of their need to comply with this
23 requirement.

24 2. The department shall notify a person who is being released from prison
25 because he or she has reached the expiration date of his or her sentence and who is

1 covered under sub. (1) of the need to comply with this section. Also, probation and
2 parole agents, aftercare agents and agencies providing supervision shall notify any
3 client who is covered under sub. (1) of ~~this requirement prior to the client's expected~~
4 date of discharge from the need to comply with this section at the time the client is
5 placed on probation, parole, supervision or aftercare supervision or, if the client is on
6 probation or parole from another state under s. 304.13 or 304.135, when the client
7 enters this state.

8 4. Failure to receive ~~this notice under this paragraph~~ from the department of health and social services, the department of corrections, a probation and parole
9 agent, an aftercare agent or an agency providing supervision is not a defense to
10 liability under sub. (6).

12 **SECTION 40.** 175.45 (4) of the statutes is amended to read:

13 175.45 (4) UPDATED INFORMATION. In addition to the requirements under sub.
14 (3), whenever any of the information under sub. (2) changes, the person shall provide
15 the department of justice corrections with the updated information within 14 10 days
16 after the change occurs.

17 **SECTION 41.** 175.45 (4) of the statutes, as affected by 1995 Wisconsin Act
18 (this act), is renumbered 301.45 (4) and amended to read:

19 301.45 (4) UPDATED INFORMATION. In addition to the requirements under sub.
20 (3), whenever any of the information under sub. (2) (a) changes, the person shall
21 provide the department of ~~corrections~~ with the updated information within 10 days
22 after the change occurs.

23 **SECTION 42.** 175.45 (5) of the statutes, as affected by 1995 Wisconsin Act 77, is
24 renumbered 301.45 (5) (a), and 301.45 (5) (a) (intro.), 2. and 4., as renumbered, are
25 amended to read:

1 301.45 (5) (a) (intro.) ~~A~~ Except as provided in par. (b), a person who is covered
2 under sub. (1) no longer has to comply with this section when the following applicable
3 criterion is met:

4 2. If the person has been sentenced to prison or placed in a secured correctional
5 facility or a secured child caring institution, 15 years after discharge from prison,
6 parole or aftercare supervision.

7 4. If ~~par. (a), (b) or (c)~~ subd. 1., 1m., 2., 3. or 3m. does not apply, 15 years after
8 the date of conviction or disposition.

9 **SECTION 43.** 175.45 (6) of the statutes, as affected by 1995 Wisconsin Act ...
10 (this act), is renumbered 301.45 (6).

11 **SECTION 44.** 175.45 (6) (a) of the statutes is amended to read:

12 175.45 (6) (a) Whoever intentionally fails to comply with any requirement to
13 provide information under subs. (2) to (4) may be fined not more than \$10,000 or
14 imprisoned for not more than 9 months or both. Subject to s. 971.19 (9), a district
15 attorney or, upon the request of a district attorney, the department of justice may
16 prosecute a violation of this subsection. If the department of justice corrections
17 determines that there is probable cause to believe that a person has intentionally
18 failed to comply with any requirement to provide information under subs. (2) to (4),
19 the department shall forward a certified copy of all pertinent departmental
20 information to the applicable district attorney. The department shall certify the copy
21 in accordance with s. 889.08.

22 **SECTION 45.** 175.45 (7) (title) of the statutes is amended to read:

23 175.45 (7) (title) ~~DEPARTMENT OF JUSTICE; INFORMATION~~ INFORMATION
24 MAINTENANCE AND EXPUNGEMENT.

1 **SECTION 46.** 175.45 (7) (title) of the statutes, as affected by 1995 Wisconsin Act
2 (this act), is renumbered 301.45 (7) (title).

3 **SECTION 47.** 175.45 (7) (a) of the statutes is amended to read:

4 175.45 (7) (a) The department of justice corrections shall maintain information
5 provided under sub. (2). The department shall keep the information confidential
6 except as needed for law enforcement purposes.

7 **SECTION 48.** 175.45 (7) (a) of the statutes, as affected by 1995 Wisconsin Act
8 (this act), is renumbered 301.45 (7) (a) and amended to read:

9 301.45 (7) (a) The department of ~~corrections~~ shall maintain information
10 provided under sub. (2). The department shall keep the information confidential
11 except as provided in s. 301.46 and except as needed for law enforcement purposes.

12 **SECTION 49.** 175.45 (7) (b) of the statutes is renumbered 301.45 (7) (b).

13 **SECTION 50.** 175.45 (7) (c) of the statutes is renumbered 301.45 (7) (c), and
14 301.45 (7) (c) (intro.), as renumbered, is amended to read:

15 301.45 (7) (c) (intro.) A person who has provided about whom information is
16 maintained in the registry under sub. (2) may request expungement of all pertinent
17 ~~departmental~~ information in the registry on the grounds that his or her conviction,
18 delinquency adjudication, finding of need of protection or services or commitment
19 has been reversed, set aside or vacated. The department shall purge all of that
20 information if the department receives all of the following:

21 **SECTION 51.** 175.45 (8) of the statutes is amended to read:

22 175.45 (8) RULES. The department of justice corrections shall promulgate rules
23 necessary to carry out its duties under this section.

24 **SECTION 52.** 175.45 (8) of the statutes, as affected by 1995 Wisconsin Act
25 (this act), is renumbered 301.45 (8) and amended to read:

1 301.45 (8) RULES. The department of ~~corrections~~ shall promulgate rules
2 necessary to carry out its duties under this section.

3 **SECTION 53.** 175.45 (9) of the statutes is amended to read:

4 175.45 (9) COOPERATION. The ~~departments of corrections and~~ department of
5 health and social services shall cooperate with the department of justice corrections
6 in obtaining information under this section.

7 **SECTION 54.** 175.45 (9) of the statutes, as affected by 1995 Wisconsin Acts 27
8 and ... (this act), is repealed.

9 **SECTION 55.** 301.132 of the statutes is created to read:

10 **301.132 Honesty testing of sex offenders. (1)** In this section:

11 (a) "Lie detector" has the meaning given in s. 111.37 (1) (b).

12 (b) "Polygraph" has the meaning given in s. 111.37 (1) (c).

13 (c) "Sex offender" means a person in the custody of the department who meets
14 any of the criteria specified in s. 175.45 (1), regardless of whether he or she is required
15 to register under s. 175.45 (3).

16 (2) The department may require, as a condition of probation or parole, that a
17 probationer or parolee who is a sex offender submit to a lie detector test when
18 directed to do so by the department.

19 (3) The department shall promulgate rules establishing a lie detector test
20 program for probationers and parolees who are sex offenders. The rules shall provide
21 for assessment of fees upon probationers and parolees to partially offset the costs of
22 the program.

23 **SECTION 56.** 301.132 (1) (c) of the statutes, as created by 1995 Wisconsin Act
24 (this act), is amended to read:

1 301.132 (1) (c) “Sex offender” means a person in the custody of the department
2 who meets any of the criteria specified in s. ~~175.45 (1)~~, regardless of whether he or
3 she is required to register under s. ~~175.45 (3)~~ 301.45 (1).

4 **SECTION 57.** 301.45 (1) (bm) of the statutes is created to read:

5 301.45 (1) (bm) Is in prison, a secured correctional facility, as defined in s.
6 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g), or
7 on probation, parole, supervision or aftercare supervision on or after December 25,
8 1993, for a violation, or for the solicitation, conspiracy or attempt to commit a
9 violation, of a law of this state that is comparable to s. 940.22 (2), 940.225 (1), (2) or
10 (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or
11 948.11.

12 **SECTION 58.** 301.45 (1) (dd) of the statutes is created to read:

13 301.45 (1) (dd) Is in institutional care or on conditional transfer under s. 51.35
14 (1) or conditional release under s. 971.17 on or after December 25, 1993, for a
15 violation, or for the solicitation, conspiracy or attempt to commit a violation, of a law
16 of this state that is comparable to s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02
17 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11.

18 **SECTION 59.** 301.45 (1) (dh) of the statutes is created to read:

19 301.45 (1) (dh) Is on parole or probation in this state from another state under
20 s. 304.13 or 304.135 on or after December 25, 1993, for a violation, or for the
21 solicitation, conspiracy or attempt to commit a violation, of the law of another state
22 that is comparable to a violation of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02
23 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11.

24 **SECTION 60.** 301.45 (1) (dp) of the statutes is created to read:

1 301.45 (1) (dp) Is in institutional care under, or on parole from, a commitment
2 for specialized treatment under ch. 975 on or after December 25, 1993.

3 **SECTION 61.** 301.45 (1) (dt) of the statutes is created to read:

4 301.45 (1) (dt) Is in institutional care or on conditional release under ch. 980
5 on or after June 2, 1994.

6 **SECTION 62.** 301.45 (2) (a) of the statutes is created to read:

7 301.45 (2) (a) The department shall maintain a registry of all persons subject
8 to sub. (1). The registry shall contain all of the following with respect to each person:

9 1. The person's name, including any aliases used by the person.

10 2. Information sufficient to identify the person, including date of birth, gender,
11 race, height, weight and hair and eye color.

12 3. The statute the person violated that subjects the person to the requirements
13 of this section, the date of conviction, adjudication or commitment, and the county
14 or, if the state is not this state, the state in which the person was convicted,
15 adjudicated or committed.

16 4. Whichever of the following is applicable:

17 a. The date the person was placed on probation, supervision, conditional
18 release, conditional transfer or supervised release.

19 b. The date the person was or is to be released from confinement, whether on
20 parole or otherwise, or discharged or terminated from a sentence or commitment.

21 c. The date the person entered the state.

22 d. The date the person was ordered to comply with s. 301.45.

23 5. The address at which the person is or will be residing.

1 6. The name of the agency supervising the person, if applicable, and the office
2 or unit and telephone number of the office or unit that is responsible for the
3 supervision of the person.

4 7. A description of any motor vehicle that the person owns or that is registered
5 in the person's name. The information provided under this paragraph shall include
6 a description of the vehicle, including make, model, license number and any other
7 information which the department may reasonably require for proper identification
8 of the vehicle.

9 8. The name and address of the place at which the person is or will be employed.

10 9. The name and location of any school in which the person is or will be enrolled.

11 10. The most recent date on which the information in the registry was updated.

12 **SECTION 63.** 301.45 (2) (b) of the statutes is created to read:

13 301.45 (2) (b) If the department has supervision over a person subject to sub.
14 (1), the department shall enter into the registry under this section the information
15 specified in par. (a) concerning the person.

16 **SECTION 64.** 301.45 (2) (d) of the statutes is created to read:

17 301.45 (2) (d) A person subject to sub. (1) who is not under the supervision of
18 the department of corrections or the department of health and social services shall
19 provide the information specified in par. (a) to the department of corrections in
20 accordance with the rules under sub. (8). If the person is unable to provide an item
21 of information specified in par. (a), the department of corrections may request
22 assistance from a circuit court or the department of health and social services in
23 obtaining that item of information. A circuit court and the department of health and
24 social services shall assist the department of corrections when requested to do so
25 under this paragraph.

1 **SECTION 65.** 301.45 (2) (e) of the statutes is created to read:

2 301.45 (2) (e) The department of health and social services shall provide the
3 information required under par. (c) or the person subject to sub. (1) shall provide the
4 information required under par. (d) in accordance with whichever of the following is
5 applicable:

6 1. Within 10 days after the person being placed on parole, probation,
7 supervision, aftercare supervision, conditional release or supervised release.

8 2. If the person is on parole or probation from another state under s. 304.13 or
9 304.135, within 10 days after the person enters this state.

10 3. No later than 10 days before the person is terminated or discharged from a
11 commitment.

12 4. If the person is being released from prison because he or she has reached the
13 expiration date of his or her sentence, no later than 10 days before being released
14 from prison.

15 5. If subd. 1., 2., 3. or 4. does not apply, within 10 days after the person is
16 sentenced or receives a disposition.

17 **SECTION 66.** 301.45 (3) (a) 1m. of the statutes is created to read:

18 301.45 (3) (a) 1m. If the person is on parole or probation from another state
19 under s. 304.13 or 304.135, he or she is subject to this subsection upon entering this
20 state.

21 **SECTION 67.** 301.45 (3) (a) 2m. of the statutes is created to read:

22 301.45 (3) (a) 2m. If the person has been sentenced to prison and is being
23 released from prison because he or she has reached the expiration date of his or her
24 sentence, before being released from prison.

25 **SECTION 68.** 301.45 (3) (a) 3g. of the statutes is created to read:

1 301.45 (3) (a) 3g. If the person has been committed for specialized treatment
2 under ch. 975, he or she is subject to this subsection upon being released on parole
3 under s. 975.10 or, if he or she was not released on parole, before being discharged
4 from the commitment under s. 975.09 or 975.12.

5 **SECTION 69.** 301.45 (3) (a) 3r. of the statutes is created to read:

6 301.45 (3) (a) 3r. If the person has been committed under ch. 980, he or she is
7 subject to this subsection upon being placed on supervised release under s. 980.06
8 (2) or 980.08 or, if he or she was not placed on supervised release, before being
9 discharged under s. 980.09 or 980.10.

10 **SECTION 70.** 301.45 (3) (b) 1m. of the statutes is created to read:

11 301.45 (3) (b) 1m. A person who is subject to par. (a) because he or she is covered
12 under sub. (1) (dt) shall notify the department once each 90 days, as directed by the
13 department, of his or her current information specified in sub. (2) (a). Every 90 days,
14 the department shall notify registrants subject to this subdivision of their need to
15 comply with this requirement.

16 **SECTION 71.** 301.45 (3) (b) 3. of the statutes is created to read:

17 301.45 (3) (b) 3. The department of health and social services shall notify a
18 person who is being placed on conditional release, conditional transfer or parole, or
19 is being terminated or discharged from a commitment, under s. 51.20, 51.35 or
20 971.17 or ch. 975 or 980 and who is covered under sub. (1) of the need to comply with
21 this section.

22 **SECTION 72.** 301.45 (3) (b) 3m. of the statutes is created to read:

23 301.45 (3) (b) 3m. After notifying a person under subd. 2. or 3. of the need to
24 comply with this section, the person who is providing the notification shall require

1 the person who is covered under sub. (1) to read and sign a form stating that he or
2 she has been informed of the requirements of this section.

3 **SECTION 73.** 301.45 (4m) of the statutes is created to read:

4 301.45 (4m) INFORMATION CONCERNING A MOVE TO ANOTHER STATE. In addition to
5 the requirements under subs. (3) and (4), a person who is covered under sub. (1) and
6 who is changing his or her residence from this state to another state shall, no later
7 than 10 days before he or she moves out of this state, notify the department that he
8 or she is changing his or her residence from this state and inform the department of
9 the state to which he or she is moving his or her residence. Upon receiving
10 notification from a person under this subsection, the department shall inform the
11 person whether the state to which the person is moving has sex offender registration
12 requirements to which the person may be subject and, if so, the name of the agency
13 to contact in that state for information concerning those requirements.

14 **SECTION 74.** 301.45 (5) (a) 1m. of the statutes is created to read:

15 301.45 (5) (a) 1m. If the person is on parole or probation from another state
16 under s. 304.13 or 304.135, 15 years after discharge from that parole or probation.

17 **SECTION 75.** 301.45 (5) (a) 3m. of the statutes is created to read:

18 301.45 (5) (a) 3m. If the person has been committed for specialized treatment
19 under ch. 975, 15 years after discharge from the commitment under s. 975.09 or
20 975.12.

21 **SECTION 76.** 301.45 (5) (b) of the statutes is created to read:

22 301.45 (5) (b) A person who is covered under sub. (1) shall continue to comply
23 with the requirements of this section until his or her death if any of the following
24 apply:

1 1. The person has, on 2 or more separate occasions, been convicted or found not
2 guilty or not responsible by reason of mental disease or defect for any violation, or
3 for the solicitation, conspiracy or attempt to commit any violation, of s. 940.22 (2),
4 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,
5 948.07, 948.08 or 948.11 or for any violation, or for the solicitation, conspiracy or
6 attempt to commit any violation, of a law of this state or any other state that is
7 comparable to a violation of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or
8 (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11. A conviction that has
9 been reversed, set aside or vacated is not a conviction for purposes of determining
10 under this subdivision whether a person has been convicted on 2 or more separate
11 occasions.

12 2. The person has been found to be a sexually violent person under ch. 980.

13 **SECTION 77.** 301.45 (6) (c) of the statutes is created to read:

14 301.45 (6) (c) Notwithstanding pars. (a) and (b), a person who first became
15 subject to subs. (2) to (4) under 1995 Wisconsin Act (this act) and who was in prison
16 or a secured correctional facility or a secured child caring institution, in institutional
17 care, or on probation, parole, supervision, aftercare supervision, corrective sanctions
18 supervision, conditional transfer or conditional release during the period beginning
19 on December 25, 1993, and ending on the day before the effective date of this
20 paragraph [revisor inserts date], shall be allowed until the first day of the 7th
21 month beginning after the effective date of this paragraph [revisor inserts date],
22 to comply with the requirements under subs. (2) to (4).

23 **SECTION 78.** 301.45 (9) of the statutes is created to read:

24 301.45 (9) COOPERATION. The department of health and social services, the
25 department of industry, labor and human relations, the department of

1 transportation and all circuit courts shall cooperate with the department of
2 corrections in obtaining information under this section.

3 **SECTION 79.** 301.46 of the statutes is created to read:

4 **301.46 Access to information concerning sex offenders. (1) DEFINITIONS.**

5 In this section “agency with jurisdiction” means the state agency with the authority
6 or duty to confine or supervise a person or release or discharge a person from
7 confinement.

8 **(2) ACCESS FOR LAW ENFORCEMENT AGENCIES.** (a) When a person is registered
9 with the department under s. 301.45 (2), the department shall immediately make the
10 information specified in par. (b) available to the police chief of any community and
11 the sheriff of any county in which the person is residing, is employed or is attending
12 school. The department shall make information available under this paragraph
13 through a direct electronic data transfer system.

14 (b) The department shall make all of the following information available under
15 par. (a):

16 1. The person’s name, including any aliases used by the person.

17 2. Information sufficient to identify the person, including date of birth, gender,
18 race, height, weight and hair and eye color.

19 3. The statute the person violated, the date of conviction, adjudication or
20 commitment, and the county or, if the state is not this state, the state in which the
21 person was convicted, adjudicated or committed.

22 4. Whichever of the following is applicable:

23 a. The date the person was placed on probation, supervision, conditional
24 release, conditional transfer or supervised release.

1 b. The date the person was released from confinement, whether on parole or
2 otherwise, or discharged or terminated from a sentence or commitment.

3 c. The date the person entered the state.

4 d. The date the person was ordered to comply with s. 301.45.

5 5. The address at which the person is residing.

6 6. The name of the agency supervising the person, if applicable, and the office
7 or unit and telephone number of the office or unit that is responsible for the
8 supervision of the person.

9 7. A description of any motor vehicle that the person owns or that is registered
10 in the person's name, including the information provided by the person under s.
11 301.45 (2) (a) 7.

12 8. The name and address of the place at which the person is employed.

13 9. The name and location of any school in which the person is enrolled.

14 10. The most recent date on which the information under s. 301.45 was
15 updated.

16 (c) When a person who is registered under s. 301.45 (2) updates information
17 under s. 301.45 (4), the department shall immediately make the updated information
18 available to the police chief of any community and the sheriff of any county in which
19 the person is residing, is employed or is attending school. The department shall
20 make the updated information available under this paragraph through a direct
21 electronic data transfer system.

22 (d) In addition to having access to information under pars. (a) and (c), a police
23 chief or sheriff may request that the department provide the police chief or sheriff
24 with information concerning any person registered under s. 301.45.

1 (e) A police chief or sheriff may provide any of the information to which he or
2 she has access under this subsection, other than information specified in subs. (4)
3 (ag) and (5) (c), to an entity in the police chief's community or the sheriff's county that
4 is entitled to request information under sub. (4) or to any person requesting
5 information under sub. (5) if, in the opinion of the police chief or sheriff, providing
6 that information is necessary to protect the public.

7 **(2m)** BULLETINS TO LAW ENFORCEMENT AGENCIES. (a) If an agency with
8 jurisdiction confines a person under s. 301.046, provides a person entering the
9 intensive sanctions program under s. 301.048 with a sanction other than a placement
10 in a Type 1 prison or a jail, or releases a person from confinement or institutional
11 care, and the person has, on one occasion only, been convicted or found not guilty or
12 not responsible by reason of mental disease or defect for any violation, or for the
13 solicitation, conspiracy or attempt to commit any violation, of s. 940.22 (2), 940.225
14 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07,
15 948.08 or 948.11 or a law of this state that is comparable to s. 940.22 (2), 940.225 (1),
16 (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08
17 or 948.11, the agency with jurisdiction may notify the police chief of any community
18 and the sheriff of any county in which the person will be residing, employed or
19 attending school if the agency with jurisdiction determines that such notification is
20 necessary to protect the public. Notification under this paragraph may be in addition
21 to providing access to information under sub. (2) or to any other notification that an
22 agency with jurisdiction is authorized to provide.

23 (am) If an agency with jurisdiction confines a person under s. 301.046, provides
24 a person entering the intensive sanctions program under s. 301.048 with a sanction
25 other than a placement in a Type 1 prison or a jail, or releases a person from

1 confinement or institutional care, and the person has been found to be a sexually
2 violent person under ch. 980 or has, on 2 or more separate occasions, been convicted
3 or found not guilty or not responsible by reason of mental disease or defect for any
4 violation, or for the solicitation, conspiracy or attempt to commit any violation, of s.
5 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055,
6 948.06, 948.07, 948.08 or 948.11 or a law of this state that is comparable to s. 940.22
7 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06,
8 948.07, 948.08 or 948.11, the agency with jurisdiction shall notify the police chief of
9 any community and the sheriff of any county in which the person will be residing,
10 employed or attending school. Notification under this paragraph shall be in addition
11 to providing access to information under sub. (2) and to any other notification that
12 an agency with jurisdiction is authorized to provide.

13 (b) The notification under par. (a) or (am) shall be in the form of a written
14 bulletin to the police chief or sheriff that contains all of the following:

15 1. The information specified in sub. (2) (b).

16 2. Any other information that the agency with jurisdiction determines is
17 necessary to assist law enforcement officers or to protect the public. Information
18 under this subdivision may include a photograph of the person, other identifying
19 information and a description of the person's patterns of violation.

20 (c) A police chief or sheriff who receives a bulletin under this subsection may
21 provide any of the information in the bulletin, other than information specified in
22 subs. (4) (ag) and (5) (c), to an entity in the police chief's community or the sheriff's
23 county that is entitled to request information under sub. (4) or to any person
24 requesting information under sub. (5) if, in the opinion of the police chief or sheriff,
25 providing that information is necessary to protect the public.

1 **(3) NOTIFICATION OF VICTIMS.** (a) In this subsection:

2 1. “Member of the family” means spouse, child, parent, sibling or legal
3 guardian.

4 2. “Victim” means a person against whom a crime has been committed.

5 (b) When a person is registered under s. 301.45 (2) or when the person informs
6 the department of a change in information under s. 301.45 (4), the department shall
7 notify the victim or a member of the victim’s family who has, according to the records
8 of the department or the information provided under par. (d), requested to be notified
9 about a person required to register under s. 301.45.

10 (c) The notice under par. (b) shall be a written notice to the victim or member
11 of the victim’s family that the person required to register under s. 301.45 and
12 specified in the information provided under par. (d) has been registered or, if
13 applicable, has provided the department with updated information under s. 301.45
14 (4). The notice shall contain the information specified in sub. (2) (b) 1., 5., 6., 7. and
15 10. or, if applicable, the updated information.

16 (d) The department of health and social services shall provide the department
17 with access to the names of victims or the family members of victims who have
18 completed cards requesting notification under s. 971.17 (6m) or 980.11.

19 (e) In addition to receiving the notice provided under par. (c), a person who
20 receives notice under par. (b) may request that the department provide him or her
21 with any of the information specified in sub. (2) (b) concerning the person required
22 to register under s. 301.45.

23 **(4) ACCESS TO INFORMATION FOR AGENCIES AND ORGANIZATIONS OTHER THAN LAW**
24 **ENFORCEMENT AGENCIES.** (a) Any of the following entities may request, in a form and

1 manner specified by the department, information from the department concerning
2 persons registered under s. 301.45:

3 1. A public or private elementary or secondary school.

4 2. A day care provider that holds a license under s. 48.65, that is certified under
5 s. 48.651, that holds a probationary license under s. 48.69 or that is established or
6 contracted for under s. 120.13 (14).

7 3. A child welfare agency licensed under s. 48.60.

8 4. A group home licensed under s. 48.625.

9 5. A shelter care facility licensed under s. 48.48.

10 6. A foster home or treatment foster home licensed under s. 48.62.

11 7. A county department under s. 46.21, 46.215, 46.22, 46.23, 51.42 or 51.437.

12 8. An agency providing child welfare services under s. 48.57 (2).

13 8m. The department of justice.

14 9. The department of public instruction.

15 10. The department of health and social services.

16 11. A neighborhood watch program authorized under s. 60.23 (17m) or by the
17 law enforcement agency of a city or village.

18 12. An organized unit of the Boy Scouts of America, the Boys' Clubs of America,
19 the Girl Scouts of America or Camp Fire Girls.

20 13. The personnel office of a sheltered workshop, as defined in s. 104.01 (6).

21 14. Any other community-based public or private, nonprofit organization that
22 the department determines should have access to information under this subsection
23 in the interest of protecting the public.

24 (ag) The department may not provide any of the following in response to a
25 request under par. (a):

1 1. Any information concerning a child who is required to register under s.
2 301.45.

3 2. If the person required to register under s. 301.45 is an adult, any information
4 concerning a juvenile proceeding in which the person was involved.

5 (am) Subject to par. (ag), an entity may make a request under par. (a) for
6 information concerning a specific person registered under s. 301.45.

7 (ar) Subject to par. (ag), an entity specified in par. (a) 11. may request the names
8 of and information concerning all persons registered under s. 301.45 who reside, are
9 employed or attend school in the entity's community, district, jurisdiction or other
10 applicable geographical area of activity.

11 (b) In response to a request under par. (a), the department shall, subject to par.
12 (ag), provide all of the following information:

13 1. The name of the person who has registered under s. 301.45, including any
14 aliases the person has used.

15 2. The date of the person's conviction or commitment, and the county or, if the
16 state is not this state, the state in which the person was convicted or committed.

17 3. The make, model and license number of any motor vehicle that the person
18 owns or that is registered in the person's name.

19 4. The most recent date on which the information under s. 301.45 was updated.

20 (c) On the request of a police chief or a sheriff, the department shall provide the
21 police chief or sheriff with a list of entities in the police chief's community or the
22 sheriff's county that have requested information under par. (a) for use by the police
23 chief or sheriff under sub. (2) (e) or (2m) (c).

24 **(5) ACCESS TO INFORMATION FOR GENERAL PUBLIC.** (a) The department or a police
25 chief or sheriff may provide the information specified in par. (b) concerning a specific

1 person required to register under s. 301.45 to a person who is not provided notice or
2 access under subs. (2) to (4) if, in the opinion of the department or the police chief or
3 sheriff, providing the information is necessary to protect the public and if the person
4 requesting the information does all of the following:

5 1. Submits a written request for information in a form and manner prescribed
6 by the department or the police chief or sheriff. The department or a police chief or
7 sheriff may require that a person state, in his or her written request under this
8 subdivision, his or her purpose for requesting the information.

9 2. Specifies by name the person about whom he or she is requesting the
10 information.

11 4. Provides any other information the police chief or sheriff considers necessary
12 to determine accurately whether the person specified in subd. 2. is registered under
13 s. 301.45.

14 (b) If the department or a police chief or sheriff provides information under par.
15 (a), the department or police chief or sheriff shall, subject to par. (c), provide all of the
16 following concerning the person specified in the request under par. (a) 2.:

17 1. The date of the person's conviction or commitment, and the county or, if the
18 state is not this state, the state in which the person was convicted or committed.

19 2. The make, model and license number of any motor vehicle that the person
20 owns or that is registered in the person's name.

21 3. The most recent date on which the information under s. 301.45 was updated.

22 (c) The department or a police chief or sheriff may not provide any of the
23 following under par. (a):

24 1. Any information concerning a child who is required to register under s.
25 301.45.

1 2. If the person required to register under s. 301.45 is an adult, any information
2 concerning a juvenile proceeding in which the person was involved.

3 **(6) PERIOD OF NOTIFICATION OF AND ACCESS TO INFORMATION.** (a) Except as
4 provided in par. (b), the department or an agency with jurisdiction may provide
5 notice of or access to information under subs. (2) to (5) concerning a person registered
6 under s. 301.45 only during the period under s. 301.45 (5) for which the person is
7 required to comply with s. 301.45.

8 (b) The department or an agency with jurisdiction may provide access to any
9 information collected under s. 301.45, regardless of whether the person is still
10 required to be registered, to a law enforcement agency for law enforcement purposes.

11 **(7) IMMUNITY.** A person acting under this section is immune from civil liability
12 for any good faith act or omission regarding the release of information authorized
13 under this section. The immunity under this subsection does not extend to a person
14 whose act or omission constitutes gross negligence or involves reckless, wanton or
15 intentional misconduct.

16 **(8) RULES.** The department shall promulgate rules necessary to carry out its
17 duties under this section.

18 **(9) EFFECT ON OPEN RECORDS REQUESTS.** This section does not prohibit the
19 department from providing to a person, in response to that person's request under
20 s. 19.35 to inspect or copy records of the department, information that is contained
21 in the sex offender registry under s. 301.45 concerning a person who is in the custody
22 or under the supervision of the department if that information is also contained in
23 records of the department, other than the sex offender registry, that are subject to
24 inspection or copying under s. 19.35.

1 **SECTION 80.** 938.185 (3) of the statutes, as created by 1995 Wisconsin Act 77,
2 is amended to read:

3 938.185 (3) Venue for a proceeding under s. 938.12 or 938.13 (12) based on an
4 alleged violation of s. ~~175.45~~ 301.45 (6) may be in the juvenile's county of residence
5 at the time that the petition is filed or, if the juvenile does not have a county of
6 residence in this state at the time that the petition is filed, any county in which the
7 juvenile has resided while subject to s. ~~175.45~~ 301.45.

8 **SECTION 81.** 938.34 (15) (title) of the statutes, as created by 1995 Wisconsin Act
9 77, is amended to read:

10 938.34 (15) (title) DEOXYRIBONUCLEIC ACID ANALYSIS AND—REPORTING
11 REQUIREMENTS.

12 **SECTION 82.** 938.34 (15) (a) 1. of the statutes, as created by 1995 Wisconsin Act
13 77, is amended to read:

14 938.34 (15) (a) 1. If the juvenile is adjudicated delinquent on the basis of a
15 violation of s. 940.225, 948.02 (1) or (2) or 948.025, the court shall require the juvenile
16 to provide a biological specimen to the state crime laboratories for deoxyribonucleic
17 acid analysis. ~~If the violation is of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025,~~
18 ~~the court shall require the juvenile to comply with the reporting requirements under~~
19 ~~s. 175.45. If the violation is of s. 940.225 (3) or (3m), the court may require the~~
20 ~~juvenile to comply with the reporting requirements under s. 175.45 if the court~~
21 ~~determines that the underlying conduct was seriously sexually assaultive in nature~~
22 ~~and that it would be in the interest of public protection to have the juvenile report~~
23 ~~under s. 175.45.~~

24 **SECTION 83.** 938.34 (15) (a) 2. of the statutes, as created by 1995 Wisconsin Act
25 77, is amended to read:

1 938.34 (15) (a) 2. Except as provided in subd. 1., if the juvenile is adjudicated
2 delinquent on the basis of any violation under ch. 940, 944 or 948 or ss. 943.01 to
3 943.15, the court may require the juvenile to provide a biological specimen to the
4 state crime laboratories for deoxyribonucleic acid analysis. ~~The court may require~~
5 ~~the juvenile to comply with the reporting requirements under s. 175.45 if the court~~
6 ~~determines that the underlying conduct was seriously sexually assaultive in nature~~
7 ~~and that it would be in the interest of public protection to have the juvenile report~~
8 ~~under s. 175.45.~~

9 **SECTION 84.** 938.34 (15m) of the statutes is created to read:

10 938.34 (15m) SEX OFFENDER REPORTING REQUIREMENTS. (a) If the child is
11 adjudicated delinquent on the basis of a violation, or the solicitation, conspiracy or
12 attempt to commit a violation, of s. 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2),
13 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11, the court shall require the
14 person to comply with the reporting requirements under s. 301.45.

15 (b) Except as provided in par. (a), if the child is adjudicated delinquent on the
16 basis of any violation, or the solicitation, conspiracy or attempt to commit any
17 violation, under ch. 940, 944 or 948 or ss. 943.01 to 943.15, the court may require the
18 child to comply with the reporting requirements under s. 301.45 if the court
19 determines that the underlying conduct was sexually motivated, as defined in s.
20 980.01 (5), and that it would be in the interest of public protection to have the child
21 report under s. 301.45.

22 **SECTION 85.** 938.396 (2) (em) of the statutes is created to read:

23 938.396 (2) (em) Upon request of the department to review court records for
24 the purpose of obtaining information concerning a child required to register under
25 s. 301.45, the court shall open for inspection by authorized representatives of the

1 department the records of the court relating to any child who has been adjudicated
2 delinquent or found not responsible by reason of mental disease or defect for an
3 offense specified in s. 301.45 (1) (a). The department may disclose information that
4 it obtains under this paragraph as provided under s. 301.46.

5 **SECTION 86.** 939.646 of the statutes is created to read:

6 **939.646 Penalty; crimes committed using information obtained from**
7 **the sex offender registry.** If a person commits a crime using information that was
8 disclosed to him or her under s. 301.46, the penalties may be increased as follows:

9 (1) In case of a misdemeanor, the maximum fine prescribed by law for the crime
10 may be increased by not more than \$1,000.

11 (2) In case of a felony, the maximum term of imprisonment prescribed by law
12 for the crime may be increased by not more than 5 years.

13 **SECTION 87.** 942.06 (1) of the statutes is amended to read:

14 942.06 (1) ~~No~~ Except as provided in sub. (2m) (a), no person may require or
15 administer a polygraph, voice stress analysis, psychological stress evaluator or any
16 other similar test purporting to test honesty without the prior written and informed
17 consent of the subject.

18 **SECTION 88.** 942.06 (2) of the statutes is amended to read:

19 942.06 (2) ~~No~~ Except as provided in sub. (2m) (b), no person may disclose that
20 another person has taken a polygraph, voice stress analysis, psychological stress
21 evaluator or any other similar test purporting to test honesty and no person may
22 disclose the results of such a test to any person except the person tested, without the
23 prior written and informed consent of the subject.

24 **SECTION 89.** 942.06 (2m) of the statutes is created to read:

1 942.06 (2m) (a) Subsection (1) does not apply to an employe or agent of the
2 department of corrections who conducts a lie detector test of a probationer or parolee
3 under the rules promulgated under s. 301.132.

4 (b) Subsection (2) does not apply to an employe or agent of the department of
5 corrections who discloses, to any of the following, the fact that a probationer or
6 parolee has had a lie detector test under the rules promulgated under s. 301.132 or
7 the results of such a lie detector test:

8 1. Another employe or agent of the department of corrections.

9 2. Another agency or person, if the information disclosed will be used for
10 purposes related to correctional programming or care and treatment.

11 **SECTION 90.** 950.045 of the statutes, as affected by 1995 Wisconsin Act 74, is
12 amended to read:

13 **950.045 Victims; application for parole or pardon; releases; escapes;**
14 **corrections programs.** Victims of crimes have the right to provide written
15 statements concerning parole applications under s. 304.06 (1) (e), to have direct input
16 in the parole decision-making process under s. 304.06 (1) (em) and to provide written
17 statements concerning pardon applications under s. 304.10 (2). Victims of crimes
18 have the right to be notified by district attorneys under s. 971.17 (4m) regarding
19 conditional releases under s. 971.17. Victims of crimes have the right to be notified
20 by the department of health and social services under s. 971.17 (6m) regarding
21 terminations or discharges under s. 971.17. Victims of crimes have the right to be
22 notified by the department of corrections under s. 301.046 (4) regarding community
23 residential confinements, under s. 301.048 (4m) regarding participation in the
24 intensive sanctions program, under s. 301.38 regarding escapes from a Type 1 prison,
25 under s. 302.115 regarding the expiration of sentences and under s. 304.063

1 regarding parole releases. Victims of acts of sexual violence have the right to be
2 notified by district attorneys or the department of justice under s. 980.11 regarding
3 supervised releases under s. 980.06 and discharges under s. 980.09 or 980.10.
4 Victims have the right to be notified of the registration of a person and the update
5 of information regarding that person under s. 301.46.

6 **SECTION 91.** 971.17 (1m) of the statutes is renumbered 971.17 (1m) (a) and
7 amended to read:

8 971.17 **(1m)** (a) If the defendant under sub. (1) is found not guilty by reason of
9 mental disease or defect for a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or
10 948.025, the court shall require the person to provide a biological specimen to the
11 state crime laboratories for deoxyribonucleic acid analysis ~~and to comply with the~~
12 ~~reporting requirements of s. 175.45.~~

13 **SECTION 92.** 971.17 (1m) (b) of the statutes is created to read:

14 971.17 **(1m)** (b) 1. If the defendant under sub. (1) is found not guilty by reason
15 of mental disease or defect for a violation, or for the solicitation, conspiracy or
16 attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02
17 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11, the court shall
18 require the defendant to comply with the reporting requirements under s. 301.45.

19 2. Except as provided in subd. 1., if the defendant under sub. (1) is found not
20 guilty by reason of mental disease or defect for any violation, or for the solicitation,
21 conspiracy or attempt to commit any violation, of ch. 940, 944 or 948 or ss. 943.01 to
22 943.15, the court may require the defendant to comply with the reporting
23 requirements under s. 301.45 if the court determines that the underlying conduct
24 was sexually motivated, as defined in s. 980.01 (5), and that it would be in the interest
25 of public protection to have the defendant report under s. 301.45.

1 **SECTION 93.** 971.17 (4m) (title) of the statutes is amended to read:

2 971.17 (**4m**) (title) NOTICE TO VICTIMS ABOUT CONDITIONAL RELEASE.

3 **SECTION 94.** 971.17 (4m) (b) of the statutes is renumbered 971.17 (4m) (b)
4 (intro.) and amended to read:

5 971.17 (**4m**) (b) (intro.) If the court conditionally releases a defendant under
6 this section, the district attorney shall notify all of the following person, if he or she
7 can be found, in accordance with par. (c): the

8 1. The victim of the crime committed by the defendant or, if the victim died as
9 a result of the crime, an adult member of the victim's family or, if the victim is younger
10 than 18 years old, the victim's parent or legal guardian.

11 **SECTION 95.** 971.17 (4m) (b) 2. of the statutes is created to read:

12 971.17 (**4m**) (b) 2. The department of corrections.

13 **SECTION 96.** 971.17 (4m) (c) of the statutes is amended to read:

14 971.17 (**4m**) (c) The notice under par. (b) shall inform the department of
15 corrections and the person under par. (b) 1. of the defendant's name and conditional
16 release date. The district attorney shall send the notice, postmarked no later than
17 7 days after the court orders the conditional release under this section, to the
18 department of corrections and to the last-known address of the person under par. (b)
19 1.

20 **SECTION 97.** 971.17 (4m) (d) of the statutes is amended to read:

21 971.17 (**4m**) (d) Upon request, the department of health and social services
22 shall assist district attorneys in obtaining information regarding persons specified
23 in par. (b) 1.

24 **SECTION 98.** 971.17 (6m) (title) of the statutes is amended to read:

25 971.17 (**6m**) (title) NOTICE TO VICTIMS ABOUT TERMINATION OR DISCHARGE.

1 **SECTION 99.** 971.17 (6m) (b) of the statutes is renumbered 971.17 (6m) (b)
2 (intro.) and amended to read:

3 971.17 **(6m)** (b) (intro.) If the court orders that the defendant's commitment is
4 terminated under sub. (5) or that the defendant be discharged under sub. (6), the
5 department of health and social services shall notify ~~the~~ all of the following:

6 1. If the person has submitted a card under par. (d) requesting notification, the
7 victim of the crime committed by the defendant, or, if the victim died as a result of
8 the crime, an adult member of the victim's family or, if the victim is younger than 18
9 years old, the victim's parent or legal guardian, ~~after the submission of a card under~~
10 ~~par. (d) requesting notification.~~

11 **SECTION 100.** 971.17 (6m) (b) 2. of the statutes is created to read:

12 971.17 **(6m)** (b) 2. The department of corrections.

13 **SECTION 101.** 971.17 (6m) (c) of the statutes is amended to read:

14 971.17 **(6m)** (c) The notice under par. (b) shall inform the department of
15 corrections and the person under par. (b) 1. of the defendant's name and termination
16 or discharge date. The department of health and social services shall send the notice,
17 postmarked at least 7 days before the defendant's termination or discharge date, to
18 the department of corrections and to the last-known address of the person under par.
19 (b) 1.

20 **SECTION 102.** 971.17 (6m) (d) of the statutes is amended to read:

21 971.17 **(6m)** (d) The department of health and social services shall design and
22 prepare cards for persons specified in par. (b) 1. to send to the department. The cards
23 shall have space for these persons to provide their names and addresses, the name
24 of the applicable defendant and any other information the department determines
25 is necessary. The department shall provide the cards, without charge, to district

1 attorneys. District attorneys shall provide the cards, without charge, to persons
2 specified in par. (b) 1. These persons may send completed cards to the department.
3 All departmental records or portions of records that relate to mailing addresses of
4 these persons are not subject to inspection or copying under s. 19.35 (1), except as
5 needed to comply with a request under sub. (4m) (d) or s. 301.46 (3) (d).

6 **SECTION 103.** 971.19 (9) of the statutes is amended to read:

7 971.19 (9) In an action under s. ~~175.45~~ 301.45 (6), the defendant may be tried
8 in the defendant's county of residence at the time that the complaint is filed or, if the
9 defendant does not have a county of residence in this state at the time that the
10 complaint is filed, any county in which he or she has resided while subject to s. ~~175.45~~
11 301.45.

12 **SECTION 104.** 973.047 (title) of the statutes is amended to read:

13 **973.047** (title) **Deoxyribonucleic acid analysis and reporting**
14 **requirements.**

15 **SECTION 105.** 973.047 (1) (a) of the statutes is amended to read:

16 973.047 (1) (a) If a court imposes a sentence or places a person on probation for
17 a violation of s. 940.225, 948.02 (1) or (2) or 948.025, the court shall require the person
18 to provide a biological specimen to the state crime laboratories for deoxyribonucleic
19 acid analysis. ~~If the violation is of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025,~~
20 ~~the court shall require the person to comply with the reporting requirements under~~
21 ~~s. 175.45. If the violation is of s. 940.225 (3) or (3m), the court may require the person~~
22 ~~to comply with the reporting requirements under s. 175.45 if the court determines~~
23 ~~that the underlying conduct was seriously sexually assaultive in nature and that it~~
24 ~~would be in the interest of public protection to have the person report under s. 175.45.~~

25 **SECTION 106.** 973.047 (1) (b) of the statutes is amended to read:

1 973.047 (1) (b) Except as provided in par. (a), if a court imposes a sentence or
2 places a person on probation for any violation under ~~chs. ch.~~ 940, 944 or 948 or ss.
3 943.01 to 943.15, the court may require the person to provide a biological specimen
4 to the state crime laboratories for deoxyribonucleic acid analysis. ~~The court may~~
5 ~~require the person to comply with the reporting requirements under s. 175.45 if the~~
6 ~~court determines that the underlying conduct was seriously sexually assaultive in~~
7 ~~nature and that it would be in the interest of public protection to have the person~~
8 ~~report under s. 175.45.~~

9 **SECTION 107.** 973.048 of the statutes is created to read:

10 **973.048 Sex offender reporting requirements.** (1) If a court imposes a
11 sentence or places a person on probation for a violation, or for the solicitation,
12 conspiracy or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3),
13 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08 or 948.11,
14 the court shall require the person to comply with the reporting requirements under
15 s. 301.45.

16 (2) Except as provided in sub. (1), if a court imposes a sentence or places a
17 person on probation for any violation, or for the solicitation, conspiracy or attempt
18 to commit any violation, under ch. 940, 944 or 948 or ss. 943.01 to 943.15, the court
19 may require the person to comply with the reporting requirements under s. 301.45
20 if the court determines that the underlying conduct was sexually motivated, as
21 defined in s. 980.01 (5), and that it would be in the interest of public protection to have
22 the person report under s. 301.45.

23 **SECTION 108.** 980.063 of the statutes is created to read:

24 **980.063 Deoxyribonucleic acid analysis requirements.** (1) (a) If a person
25 is found to be a sexually violent person under this chapter, the court shall require the

1 person to provide a biological specimen to the state crime laboratories for
2 deoxyribonucleic acid analysis.

3 (b) The results from deoxyribonucleic acid analysis of a specimen under par. (a)
4 may be used only as authorized under s. 165.77 (3). The state crime laboratories shall
5 destroy any such specimen in accordance with s. 165.77 (3).

6 (2) The department of justice shall promulgate rules providing for procedures
7 for defendants to provide specimens under sub. (1) and for the transportation of those
8 specimens to the state crime laboratories for analysis under s. 165.77.

9 **SECTION 109.** 980.11 (title) of the statutes is amended to read:

10 **980.11** (title) **Notice to ~~victims~~ concerning supervised release or**
11 **discharge.**

12 **SECTION 110.** 980.11 (2) (intro.) of the statutes is amended to read:

13 980.11 (2) (intro.) If the court places a person on supervised release under s.
14 980.06 or discharges a person under s. 980.09 or 980.10, the ~~district attorney or~~
15 ~~department of justice, whichever is applicable,~~ shall notify whichever all of the
16 following:

17 (am) Whichever of the following persons is appropriate, if he or she can be
18 found, in accordance with sub. (3):

19 **SECTION 111.** 980.11 (2) (a) of the statutes is renumbered 980.11 (2) (am) 1.

20 **SECTION 112.** 980.11 (2) (b) of the statutes is renumbered 980.11 (2) (am) 2.

21 **SECTION 113.** 980.11 (2) (bm) of the statutes is created to read:

22 980.11 (2) (bm) The department of corrections.

23 **SECTION 114.** 980.11 (2) (c) of the statutes is renumbered 980.11 (2) (am) 3.

24 **SECTION 115.** 980.11 (3) of the statutes is amended to read:

1 980.11 (3) The notice under sub. (2) shall inform the department of corrections
2 and the person under sub. (2) (am) of the name of the person committed under this
3 chapter and the date the person is placed on supervised release or discharged. The
4 department shall send the notice, postmarked at least 7 days before the date the
5 person committed under this chapter is placed on supervised release or discharged,
6 to the department of corrections and to the last-known address of the person under
7 sub. (2) (am).

8 **SECTION 116.** 980.11 (4) of the statutes is amended to read:

9 980.11 (4) The department shall design and prepare cards for persons specified
10 in sub. (2) (am) to send to the department. The cards shall have space for these
11 persons to provide their names and addresses, the name of the person committed
12 under this chapter and any other information the department determines is
13 necessary. The department shall provide the cards, without charge, to the
14 department of justice and district attorneys. The department of justice and district
15 attorneys shall provide the cards, without charge, to persons specified in sub. (2)
16 (am). These persons may send completed cards to the department of health and
17 social services. All records or portions of records of the department of health and
18 social services that relate to mailing addresses of these persons are not subject to
19 inspection or copying under s. 19.35 (1), except as needed to comply with a written
20 request by ~~a district attorney or the department of justice for assistance in locating~~
21 ~~persons to be notified~~ corrections under sub. (2) s. 301.46 (3) (d).

22 **SECTION 117. Nonstatutory provisions.**

23 (1) TRANSFER OF SEX OFFENDER REGISTRATION RESPONSIBILITIES TO THE
24 DEPARTMENT OF CORRECTIONS.

1 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets
2 and liabilities of the department of justice that are primarily related to the
3 administration by the department of sex offender registration under section 175.45,
4 1993 stats., as determined by the secretary of administration, shall become the
5 assets and liabilities of the department of corrections.

6 (b) *Tangible personal property.* On the effective date of this paragraph, the
7 tangible personal property, including records, of the department of justice that is
8 primarily related to the administration by the department of sex offender
9 registration under section 175.45, 1993 stats., as determined by the secretary of
10 administration, is transferred to the department of corrections.

11 (c) *Rules.* All rules promulgated by the department of justice that are
12 primarily related to the administration by the department of sex offender
13 registration under section 175.45, 1993 stats., and that are in effect on the effective
14 date of this paragraph remain in effect until their specified expiration date or until
15 amended or repealed by the department of corrections.

16 **SECTION 118. Appropriation changes.**

17 (1) APPROPRIATION INCREASE; CORRECTIONS. In the schedule under section 20.005
18 (3) of the statutes for the appropriation to the department of corrections under
19 section 20.410 (1) (a) of the statutes, as affected by the acts of 1995, the dollar amount
20 is increased by \$124,400 for fiscal year 1995-96 and the dollar amount is increased
21 by \$407,800 for fiscal year 1996-97 to increase the authorized FTE positions for the
22 department by 5.0 GPR positions on January 1, 1997, for the performance of duties
23 relating to sex offender registration and community notification concerning sex
24 offenders.

1 (2) TRANSFER OF SEX OFFENDER REGISTRATION RESPONSIBILITIES; CORRECTIONS. In
2 the schedule under section 20.005 (3) of the statutes for the appropriation to the
3 department of corrections under section 20.410 (1) (a) of the statutes, as affected by
4 the acts of 1995, the dollar amount is increased by \$59,300 for fiscal year 1996-97
5 to increase the authorized FTE positions for the department by 2.0 GPR positions on
6 July 1, 1996, for the performance of duties relating to sex offender registration under
7 section 175.45, 1993 stats.

8 (3) TRANSFER OF SEX OFFENDER REGISTRATION RESPONSIBILITIES; JUSTICE. In the
9 schedule under section 20.005 (3) of the statutes for the appropriation to the
10 department of justice under section 20.455 (2) (a) of the statutes, as affected by the
11 acts of 1995, the dollar amount is decreased by \$59,300 for fiscal year 1996-97 to
12 decrease the authorized FTE positions for the department by 2.0 GPR positions on
13 July 1, 1996, for the performance of duties relating to sex offender registration under
14 section 175.45, 1993 stats.

15 **SECTION 119. Effective dates.** This act takes effect on the day after
16 publication, except as follows:

17 (1) TRANSFER OF SEX OFFENDER REGISTRY TO THE DEPARTMENT OF CORRECTIONS.
18 The amendment of section 175.45 (2), (3) (b), (4), (6) (a), (7) (title) and (a), (8) and (9)
19 of the statutes and SECTION 117 of this act take effect on July 1, 1996, or on the day
20 after publication, whichever is later.

21 (2) COMMUNITY NOTIFICATION AND CHANGES IN SEX OFFENDER REGISTRY. The
22 treatment of section 175.45 (2) (title) of the statutes, the amendment of sections 51.20
23 (13) (cr), 51.375 (1) (a) and (d), 301.132 (1) (c), 938.185 (3), 938.34 (15) (title) and (a)
24 1. and 2., 950.045, 971.17 (4m) (title), (c) and (d) and (6m) (title) and (c) and (d),
25 971.19 (9) and 973.047 (title) and (1) (a) and (b) of the statutes, the renumbering of

1 section 175.45 (title), (1) (intro.), (3) (title) and (a) (intro.), (6), (7) (title) and (b) of the
2 statutes, the renumbering and amendment of sections 175.45 (1) (a), (b), (c), (d) and
3 (e), (2), (3) (a) 1., 2., 3. and 4. and (b), (4), (5), (7) (a) and (c) and (8) and 971.17 (1m),
4 (4m) (b) and (6m) (b) of the statutes, the creation of sections 48.396 (2) (f), 51.20 (13)
5 (ct), 51.30 (3) (d) and (4) (b) 24., 301.45 (1) (bm), (dd), (dh), (dp) and (dt), (2) (a), (b),
6 (d) and (e), (3) (a) 1m., 2m., 3g. and 3r. and (b) 1m., 3. and 3m., (4m), (5) (a) 1m. and
7 3m. and (b), (6) (c) and (9), 301.46, 938.34 (15m), 938.396 (2) (em), 939.646, 971.17
8 (1m) (b), (4m) (b) 2. and (6m) (b) 2. and 973.048 of the statutes and the repeal of
9 section 175.45 (9) of the statutes take effect on January 1, 1997.

10 (3) MISCELLANEOUS. The repeal and recreation of sections 165.76 (3), 165.765
11 (1) and (2) (a) and 165.77 (2) (b) and (3) of the statutes takes effect on July 1, 1996,
12 or on the day after publication, whichever is later.

13 (END)