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**WISCONSIN LEGISLATIVE COUNCIL  
ACT MEMO**

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<b>2009 Wisconsin Act 13</b> [2009 Assembly Bill 27]	<b>Crime of Incest Between Adults*</b>
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Under current law, whoever marries or has nonmarital sexual intercourse with a person he or she knows is a blood relative and that relative is related in a degree of kinship closer than second cousin is guilty of a Class F felony. Section 944.06, Stats. For purposes of the crime of incest, “sexual intercourse” is defined as requiring vulvar penetration. Section 939.22 (36), Stats.

Act 13 substitutes, for the current definition, the definition of “sexual intercourse” under s. 948.01 (6), Stats., which expands the sexual conduct covered by the incest offense to also include “cunnilingus, fellatio, ... anal intercourse ... or any other intrusion, however slight, of any part of a person’s body or of any object into the genital or anal opening ....”

**Effective Date:** Act 13 became effective June 6, 2009.

**Prepared by:** Don Dyke, Chief of Legal Services

June 12, 2009

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\* Incest offenses involving children are covered by a different statute, s. 948.06, Stats.

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This memo provides a brief description of the Act. For more detailed information,  
consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.