



1995 SENATE BILL 17

January 17, 1995 - Introduced by Senators C. POTTER, HUELSMAN, DARLING, DRZEWIECKI, PLEWA, ROSENZWEIG, ANDREA, BRESKE, A. LASEE, BUETTNER and ZIEN, cosponsored by Representatives OTTE, GROTHMAN, ZIEGELBAUER, BAUMGART, LADWIG, PORTER, DOBYNS, GOETSCH, GRONEMUS, TURNER, BRANDEMUEHL, ROBSON, SERATTI, MUSSER, SILBAUGH and OTT. Referred to Committee on Judiciary.

1 **AN ACT to amend** 948.01 (7) (d), 948.01 (7) (e), 948.055 (title), 948.055 (1), 948.07
2 (4) and 948.12 (intro.); and **to create** 948.01 (7) (f) of the statutes; **relating to:**
3 sexual crimes against children.

Analysis by the Legislative Reference Bureau

Under current law, there are various sexual crimes against children. Among other provisions, those crimes prohibit persons from taking or possessing pictures of a child engaging in sexually explicit conduct. "Sexually explicit conduct" means sexual intercourse, lewd exhibition of the genitals or pubic area and various other conduct. This bill broadens the coverage of sexually explicit conduct to also include the lewd exhibition of the breast, buttock or anus and any intentional touching of intimate parts for sexually related reasons.

Currently, the crimes of possession of child pornography, forced viewing of sexual activity and child enticement cover behavior related to viewing sexually explicit conduct. This bill broadens the scope of those crimes to cover behavior related to listening to sexually explicit conduct.

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

4 **SECTION 1.** 948.01 (7) (d) of the statutes is amended to read:
5 948.01 (7) (d) Sexual sadism or sexual masochistic abuse including, but not
6 limited to, flagellation, torture or bondage; or

7 **SECTION 2.** 948.01 (7) (e) of the statutes is amended to read:

1 948.01 (7) (e) Lewd exhibition of ~~the genitals or pubic area.~~ intimate parts; or

2 **SECTION 3.** 948.01 (7) (f) of the statutes is created to read:

3 948.01 (7) (f) Intentional touching of the clothed or unclothed intimate parts
4 of another person with any part of the body, clothed or unclothed, or with any object
5 or device or the intentional touching of any part of the body, clothed or unclothed, of
6 another person with the intimate parts of the body, clothed or unclothed, if that
7 intentional touching is for the purpose of sexual humiliation, degradation, arousal
8 or gratification.

9 **SECTION 4.** 948.055 (title) of the statutes is amended to read:

10 **948.055** (title) **Forced viewing of or listening to sexual activity.**

11 **SECTION 5.** 948.055 (1) of the statutes is amended to read:

12 948.055 (1) Whoever, by use or threat of force or violence, causes a child who
13 has not attained 18 years of age to view or listen to sexually explicit conduct may be
14 penalized as provided in sub. (2).

15 **SECTION 6.** 948.07 (4) of the statutes is amended to read:

16 948.07 (4) Taking pictures a picture or an audio recording of the child engaging
17 in sexually explicit conduct.

18 **SECTION 7.** 948.12 (intro.) of the statutes is amended to read:

19 **948.12 Possession of child pornography.** (intro.) Whoever possesses any
20 undeveloped film, photographic negative, photograph, motion picture, videotape or
21 other pictorial reproduction or any audio recording of a child engaged in sexually
22 explicit conduct under all of the following circumstances is guilty of a Class E felony:

23 **SECTION 8. Initial applicability.**

