



1995 SENATE BILL 54

January 31, 1995 - Introduced by Senators ZIEN, FITZGERALD, HUELSMAN, DRZEWIECKI, SCHULTZ, BRESKE, ANDREA, A. LASEE, WEEDEN, DARLING and BUETTNER, cosponsored by Representatives SCHNEIDERS, HOVEN, WARD, SERATTI, PORTER, OWENS, ALBERS, DOBYNS, SILBAUGH, KREIBICH, KAUFERT, LADWIG, ZUKOWSKI, FREESE, MUSSER, GUNDERSON, BRANDEMUEHL, WASSERMAN, KLUSMAN, OTT, UNDERHEIM, AINSWORTH and VRAKAS. Referred to Committee on Judiciary.

1 **AN ACT to create** 948.02 (3m) and 948.025 (2m) of the statutes; **relating to:**
2 sexual assault of a child and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law provides a number of penalty enhancement provisions to allow for increased penalties whenever crimes are committed under certain circumstances. One such provision provides that in crimes involving physical abuse of a child the applicable maximum period of imprisonment may be increased by up to 5 years if the violator is the parent, guardian or other person responsible for the welfare of the child. This bill creates the same 5-year penalty enhancement provision for crimes involving sexual assault of a child if the violator is the parent, guardian or other person responsible for the welfare of the child.

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

3 **SECTION 1.** 948.02 (3m) of the statutes is created to read:
4 948.02 (**3m**) PENALTY ENHANCEMENT; SEXUAL ASSAULT BY CERTAIN PERSONS. If a
5 person violates sub. (1) or (2) and the person is responsible for the welfare of the child
6 who is the victim of the violation, the maximum term of imprisonment may be
7 increased by not more than 5 years.

8 **SECTION 2.** 948.025 (2m) of the statutes is created to read:

