



2005 ASSEMBLY BILL 251

March 18, 2005 – Introduced by Representatives J. FITZGERALD, LAMB, KLEEFISCH, BIES, DAVIS, GUNDERSON, GUNDRUM, HAHN, HINES, JESKEWITZ, KRAWCZYK, MURSAU, NISCHKE, OTT, PRIDEMORE, STONE, VOS, VRAKAS, WARD and GRONEMUS, cosponsored by Senators S. FITZGERALD, DARLING, KANAVAS, OLSEN, ROESSLER, A. LASEE, LASSA and LAZICH. Referred to Committee on Criminal Justice and Homeland Security.

1 **AN ACT to create** 301.45 (2) (h) and 948.14 of the statutes; **relating to:** registered
2 sex offenders and photographing persons under the age of 17.

Analysis by the Legislative Reference Bureau

Under current law, persons convicted of certain felony sex offenses are required to register as sex offenders with the Department of Corrections (DOC). In addition, courts may order persons who commit certain other felonies or misdemeanors to register as sex offenders if their conduct was sexually motivated and it is in the interest of public protection to have them register.

This bill prohibits persons who are required to register as sex offenders from intentionally photographing, filming, or videotaping any person under the age of 17 unless the parent, custodian, or guardian of the person under the age of 17 provides written consent. A person who violates the prohibition is guilty of a felony and may be fined up to \$10,000 or sentenced to a term of imprisonment of up to three years and six months (which, if the sentence is for more than one year, includes a term of extended supervision) or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

