

State of Misconsin 2017 - 2018 **LEGISLATURE**

LRB-3804/1 CMH&MLJ:jld

2017 SENATE BILL 344

- July 13, 2017 Introduced by Senators HARSDORF, JOHNSON, DARLING, L. TAYLOR, PETROWSKI, MOULTON, CARPENTER, OLSEN, RINGHAND, COWLES, VINEHOUT, HANSEN, ERPENBACH, WIRCH, LARSON, BEWLEY, MILLER and RISSER, cosponsored by Representatives BILLINGS, CROWLEY, SUBECK, DOYLE, FIELDS, YOUNG, C. TAYLOR, SARGENT, GOYKE, KOLSTE, WACHS, MASON, CONSIDINE, POPE, ZAMARRIPA, RIEMER, BERCEAU, SPREITZER, GENRICH, MURSAU, E. BROOKS, KESSLER, SINICKI, ZIMMERMAN, STEFFEN, BOWEN, ZEPNICK, HEBL, BROSTOFF, QUINN, ANDERSON, OHNSTAD, PETRYK, TITTL and KLEEFISCH. Referred to Committee on Judiciary and Public Safety.
- AN ACT to amend 944.30 (1m) (intro.) and 944.30 (2m) of the statutes; relating 1
- $\mathbf{2}$ to: prosecuting a person under the age of 18 with committing an act of
- 3 prostitution.

Analysis by the Legislative Reference Bureau

Under this bill, a person who is under the age of 18 may not be prosecuted for committing an act of prostitution. This is a change from current law, under which a person who is under the age of 18 may be prosecuted for committing an act of prostitution, a Class A misdemeanor. This bill also eliminates the option under current law in cases where a person under the age of 18 has committed an act of prostitution for a court to enter a consent decree under the Juvenile Justice Code, or a deferred prosecution agreement under the Juvenile Justice Code or adult criminal statutes, if the court determines that a consent decree or deferred prosecution agreement will serve the best interests of the person being prosecuted and will not harm society.

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

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SECTION 1. 944.30 (1m) (intro.) of the statutes is amended to read:

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- 944.30 (1m) (intro.) Any Except as provided in sub. (2m), any person who
- 6 intentionally does any of the following is guilty of a Class A misdemeanor:

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1	SECTION 2. 944.30 (2m) of the statutes is amended to read:
2	944.30 (2m) If the person <u>A person may not be prosecuted</u> under sub. (1m) this
3	section if he or she has not attained the age of 18 years and if the court determines
4	that the best interests of the person are served and society will not be harmed, the
5	court may enter a consent decree under s. 938.32 or a deferred prosecution
6	agreement in accordance with s. 938.245, 971.39, or 971.40 at the time he or she
7	<u>commits an offense under sub. (1m)</u> .
8	(END)