

1 **AN ACT** *to amend* 948.025 (3) of the statutes; **relating to:** violations charged in the
2 same action with a charge of engaging in repeated acts of sexual assault of the same
3 child.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill draft was prepared for the Joint Legislative Council's Special Committee on Review of Crimes Against Children.

Current law prohibits any of the following violations from being charged in the same action as a charge of engaging in repeated acts of sexual assault of the same child unless the other violation occurred outside of the time period in which the repeated acts took place: crimes against sexual morality [ch. 944, stats.], sexual assault of a child [s. 948.02, stats.], sexual exploitation of a child [s. 948.05, stats.], incest with a child [s. 948.06, stats.], child enticement [s. 948.07, stats.], use of a computer to facilitate a child sex crime [s. 948.075, stats.], soliciting a child for prostitution [s. 948.08, stats.], exposing genital or pubic area [s. 948.10, stats.], exposing a child to harmful material or harmful descriptions or narrations [s. 948.11, stats.], or possession of child pornography [s. 948.12, stats.].

This draft allows prosecution of all of these violations except sexual assault of a child in the same action as a charge of engaging in repeated acts of sexual assault of the same child, even if the other violation occurred during the time period in which the repeated acts took place.

4 **SECTION 1.** 948.025 (3) of the statutes is amended to read:

5 948.025 (3) The state may not charge in the same action a defendant with a violation
6 of this section and with a ~~felony violation involving the same child under ch. 944~~ or a violation
7 involving the same child under s. 948.02, ~~948.05, 948.06, 948.07, 948.075, 948.08, 948.10,~~
8 ~~948.11, or 948.12,~~ unless the other violation occurred outside of the time period applicable

1 under sub. (1). This subsection does not prohibit a conviction for an included crime under s.
2 939.66 when the defendant is charged with a violation of this section.

3 (END)