

State of Wisconsin



2013 Senate Bill 668

Date of enactment: April 23, 2014
Date of publication*: April 24, 2014

2013 WISCONSIN ACT 343

AN ACT to renumber and amend 301.46 (2m) (a) and 301.46 (2m) (am); to amend 301.46 (2m) (b) 2.; and to create 301.46 (2m) (a) 2. and 301.46 (2m) (am) 2. of the statutes; relating to: notifications to law enforcement officers and dissemination to the public when registered out-of-state sex offenders enter a community.

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

SECTION 1. 301.46 (2m) (a) of the statutes is renumbered 301.46 (2m) (a) 1. and amended to read:

301.46 (2m) (a) 1. If an agency with jurisdiction confines a person under s. 301.046, provides a person entering the intensive sanctions program under s. 301.048 with a sanction other than a placement in a Type 1 prison or a jail, or releases a person from confinement in a state correctional institution or institutional care, and the person has, on one occasion only, been convicted or found not guilty or not responsible by reason of mental disease or defect for a sex offense or for a violation of a law of this state that is comparable to a sex offense, the agency with jurisdiction may notify the police chief of any community and the sheriff of any county in which the person will be residing, employed, or attending school if the agency with jurisdiction determines that such notification is necessary to protect the public. Notification under this paragraph subdivision may be in addition to providing access to information under sub. (2) or to any other notification that an agency with jurisdiction is authorized to provide.

SECTION 2. 301.46 (2m) (a) 2. of the statutes is created to read:

301.46 (2m) (a) 2. If a person described under s. 301.45 (1g) (dh), (dj), (f), or (g) becomes a resident of this

state from another state under s. 304.16, becomes a student in this state, becomes employed or begins carrying on a vocation in this state, or becomes subject to a sanction in this state other than a placement in a Type 1 prison or a jail, and the person has, on one occasion only, been convicted or found not guilty or not responsible by reason of mental disease or defect for a violation of the law of another jurisdiction that is comparable to a sex offense, the department may notify the police chief of any community and the sheriff of any county in which the person will be residing, employed or carrying on a vocation, or attending school if the department determines that such notification is necessary to protect the public. Notification under this subdivision may be in addition to providing access to information under sub. (2) or to any other notification that the department is authorized to provide.

SECTION 3. 301.46 (2m) (am) of the statutes is renumbered 301.46 (2m) (am) 1. and amended to read:

301.46 (2m) (am) 1. If an agency with jurisdiction confines a person under s. 301.046, provides a person entering the intensive sanctions program under s. 301.048 with a sanction other than a placement in a Type 1 prison or a jail, or releases a person from confinement in a state correctional institution or institutional care, and the person has been found to be a sexually violent person under ch. 980 or has, on 2 or more separate occasions, been convicted or found not guilty or not

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

responsible by reason of mental disease or defect for a sex offense or for a violation of a law of this state that is comparable to a sex offense, the agency with jurisdiction shall notify the police chief of any community and the sheriff of any county in which the person will be residing, employed, or attending school and through or to which the person will be regularly traveling. Notification under this paragraph shall be subdivision is in addition to providing access to information under sub. (2) and to any other notification that an agency with jurisdiction is authorized to provide.

SECTION 4. 301.46 (2m) (am) 2. of the statutes is created to read:

301.46 (2m) (am) 2. If a person described under s. 301.45 (1g) (dh), (dj), (f), or (g) becomes a resident of this state from another state under s. 304.16, becomes a student in this state, becomes employed or begins carrying on a vocation in this state, or becomes subject to a sanction in this state other than a placement in a Type 1 prison or a jail, and the person has, on 2 or more separate occa-

sions, been convicted or found not guilty or not responsible by reason of mental disease or defect for a violation of the law of another jurisdiction that is comparable to a sex offense, the department shall notify the police chief of any community and the sheriff of any county in which the person will be residing, employed or carrying on a vocation, or attending school. Notification under this subdivision is in addition to providing access to information under sub. (2) or to any other notification that the department is authorized to provide.

SECTION 5. 301.46 (2m) (b) 2. of the statutes is amended to read:

301.46 (2m) (b) 2. Any other information that the agency with jurisdiction, if the notice is provided under par. (a) 1. or (am) 1., or that the department, if the notice is provided under par. (a) 2. or (am) 2., determines is necessary to assist law enforcement officers or to protect the public. Information under this subdivision may include a photograph of the person, other identifying information and a description of the person's patterns of violation.