

✓ UPDATE	TOPIC	OVERVIEW (See proposal for official summaries & exact text)	BILL #	STATUS	EVENTS & NOTES
✓	BATTERY <i>Entering dwelling with intent to commit battery</i>	Creates a Class F felony to enter specified places (dwelling, building, motor home, etc.) without the consent of the owner with the intent to commit a felony or misdemeanor battery. (Aligns penalty with that for entering the same places with the intent to steal or commit a felony.)	<u>SB-53</u> <u>AB-42</u>	Sen: Passed 3/23 A: Criminal Justice & Public Safety	Passed S. 3/23
✓	BATTERY <i>Special Circumstances</i>	Expands special circumstances battery to include family members of a probation, ES agent, parole agent, community supervision or aftercare agent and agents in comparable tribal programs.	<u>SB-100</u> <u>AB-90</u>	S: Judiciary A: Criminal Justice	Exec Session: Assembly Criminal Justice, 4/7, 1:00, North Hearing Room
✓	BATTERY <i>While awaiting commitment trial</i>	Increases the penalty for battery to a Class H felony when committed by a detained person awaiting trial as a sexually violent person against an officer, employee, agent, visitor, or other resident of the facility.	<u>SB-28</u> <u>AB-98</u>	ENACTED INTO LAW <u>2021 Wis Act 13</u>	
✓	BUDGET	The executive budget bill (linked under "BILL #") contains the governor's recommendations for appropriations for the 2021-23 fiscal biennium. It is 1846 pages. The following sources may clarify the criminal justice items in the budget bill: <ul style="list-style-type: none"> • <u>Legislative Reference Bureau analysis organized by policy area</u> • <u>DOA Executive Budget Documents</u> • <u>See Joint Committee website for upcoming meetings and associated documents</u> 	<u>SB-111</u> <u>AB-68</u>	Joint Committee on Finance	<u>NOTICE OF APRIL PUBLIC HEARINGS</u> All public hearings will be streamed by WisconsinEye and can be viewed at www.WisEye.org
✓	CHILD ABUSE	Requires the posting of signs at schools containing the phone number for the local county child protection agency responsible for receiving reports of and conducting investigations regarding child abuse and neglect.	<u>SB-238</u> <u>AB-222</u>	S: Committee on Education A: Education	
✓	CHILD PROTECTION <i>Out of home placement</i>	Prohibits approving an out-of-home placement with a person who has a record of a crime against a child unless the judge determines by clear and convincing evidence that the placement would be in the best interests of the child.	<u>SB-24</u> <u>AB-26</u>	Sen: Passed 3/16/21 A: Children & Families	Passed S. 3/16 A: Exec Action Taken

	<i>DOMESTIC VIOLENCE & CHILD ABUSE</i>	Permits the court to take judicial notice of the following CCAP records in an action affecting the family in which the parties have a minor child together: <ol style="list-style-type: none"> 1) Convictions related to domestic abuse by one parent against the other 2) Convictions for child abuse by one parent against the child the parents have in common 3) Domestic abuse or harassment injunctions issued against one parent, requested by the other parent 	<u>SB-106</u> <u>AB-102</u>	Sen: Judiciary & Public Safety A: Judiciary	
	<i>ELDER ABUSE</i> <i>Crimes, penalty enhancers, seizure of assets; appearance by audiovisual means</i>	Creates penalty enhancer for crimes against elders including sexual misconduct against a victim who is 60 years of age or older; creates the crime of physical abuse of an elder person; creates a procedure to freeze or seize assets from a defendant charged with a crime of financial exploitation against an elder; allows an elder-at-risk petitioner to participate in hearings by telephone or audiovisual means instead of in person.	<u>AB-44</u> <u>SB-17</u>	Sen: Passed 2/16 A: Criminal Justice & Public Safety passage recommended	
	<i>ELDER ABUSE</i> <i>Duty to Expedite Proceedings and Preserve Testimony</i>	Creates a duty to expedite proceedings in all criminal and delinquency cases and juvenile dispositional hearings involving a victim or witness who is 60 years of age or older; Creates a duty to preserve testimony of an elder witness or victim on the motion of a district attorney. Provides that preserved testimony shall be admissible as evidence in any court proceeding in the case.	<u>SB-18</u> <u>AB-43</u>	Sen: Passed 2/16 A: Judiciary	
✓	<i>EXPUNGEMENT</i>	Provides a new process to petition a court to expunge Class H felonies and below under certain conditions; Limits the number of applications (petitions) per crime and limits a person to one expungement; provides it is not discriminatory to consider an expunged conviction with respect to applications related to law enforcement; Retroactive application. Creates a process for victim notice and written input when a petition for expungement is filed.	<u>SB-78</u> <u>AB-69</u>	Sen: Judiciary & Public Safety A: Criminal Justice	Assembly Criminal Justice & Public Safety public hearing: 4/7/21, 1:00, N Hearing Room
✓	<i>GPS TRACKING</i>	Provides it is a Class I felony to refuse, resist or obstruct the installation of a GPS tracking device provided by the Dept. of Corrections.	<u>SB-229</u> <u>AB-214</u>	Sen: Judiciary & Public Safety A: Corrections	

	<i>HUMAN TRAFFICKING</i> <i>Surcharge on buyers</i>	Creates a \$5,000 surcharge for patronizing or soliciting prostitution, pandering, or keeping a house of prostitution if a court imposes a sentence or places a person on probation for those offenses. The surcharge is appropriated to DOJ for Internet Crimes Against Children investigations and prosecutions and to DCF to provide or purchase services for child sex trafficking victims.	<u>SB-26</u> <u>AB-139</u>	Sen: Ready for scheduling A: Criminal Justice & Public Safety	
✓	<i>IMMUNITY FROM PROSECUTION FOR PROSTITUTION</i>	Provides that a juvenile may not be prosecuted for prostitution.	<u>SB-245</u> <u>AB-185</u>	S: Judiciary & Public Safety A: Criminal Justice & Public Safety	
✓	<i>LAW ENFORCEMENT & PUBLIC SAFETY WORKERS</i> <i>PTSD- liability for worker's comp</i>	Changes to worker's compensation law including provisions regarding the circumstances under which a fire fighter or police officer can bring a claim for workers' compensation benefits if diagnosed with PTSD.	<u>SB-11</u> <u>AB-17</u>	S: Labor A: Government Accountability	Sen: Passed 2/16 Assembly: On proposed calendar 4/13, 1:00
✓	<i>LAW ENFORCEMENT USE OF FORCE</i> <i>Advisory Board, Policies, Report by DOJ</i>	<p><u>SB-118/AB-112</u>: Creates independent Use of Force Advisory Board to research and review causes and contributing factors of Use of Force incidents.</p> <p><u>SB-120/AB-108</u>: Requires that each agency's Use of Force policy address instances in which a use of force must be reported, how to report it and a requirement that officers who engage in or observe a reportable use of force report it. Creates whistleblower protection for law enforcement who report a policy/standard violation.</p> <p><u>SB-121/AB-134</u>: Prohibits an agency use of force policy from authorizing choke holds except in self-defense and life-threatening situations.</p> <p><u>SB-122/ AB-110</u>: Requires the posting of an agency's use of force policy online and that agencies provide a copy of the policy quickly and free of charge upon request.</p> <p><u>SB-123/AB-109</u>: Requires DOJ to collect data and publish an annual report on use of force incidents.</p>			<p>The <i>Subcommittee on Law Enforcement Polices and Standards</i> will discuss many of these topics at its meeting 4/9/21, 10:00, 412 E</p> <p><u>AGENDA</u></p>

✓	<i>PROCEEDINGS</i> <i>Audiovisual</i>	Provides for participation by parties in certain criminal and juvenile proceedings by audiovisual means if available, unless good cause to the contrary is shown.	<u>SB-219</u> <u>AB-199</u>	S: Judiciary & Public Safety A: Criminal Justice & Public Safety	
✓	<i>PROCEEDINGS</i> <i>Timing of juvenile custody hearings</i>	Excludes days on which the clerk of courts office is closed due to inclement weather or another “unforeseen emergency” when determining the deadline by which the juvenile court must conduct a hearing to determine whether to continue to hold a juvenile in custody.	<u>SB-264</u>	S: Judiciary and Public Safety	
✓	<i>RESTITUTION</i> <i>Directing rebates to victims</i>	Requires that COVID recovery rebates given to incarcerated people be used to pay any unpaid court-ordered restitution to the victim of his or her crime before being applied to surcharges or the inmate’s account.	<u>SB-236</u> <u>AB-219</u>	S- Judiciary & Public Safety A- Corrections	
✓	<i>REVOCATION & EXPUNGEMENT</i>	Requires that the Dept of Corrections recommend revocation if a person on ES, probation or parole is charged with a crime while on release, limits expungement eligibility under certain conditions.	<u>SB-188</u> <u>AB-174</u>	S: Judiciary & Public Safety A: Criminal Justice & Public Safety	
	<i>SEXUAL ASSAULT BILL OF RIGHTS</i>	Provides new/ additional victims’ rights for victims of sexual assault.	<u>SB-153</u> <u>AB-133</u>	Sen: Judiciary & Public Safety A: Criminal Justice & Public Safety	
✓	<i>SEXUAL ASSAULT KITS</i> <i>Database</i>	Requires that WI DOJ create the Wisconsin Sexual Assault Kit Tracking System for the purpose of providing victims of sexual assault access to information about the status of any sexual assault kit the victim has provided.	<u>SB-94</u> <u>AB-87</u>	Sen: Passed A: Criminal Justice & Public Safety	S. passed 3-16-21
✓	<i>SEXUAL ASSAULT KITS</i> <i>Storage and testing</i>	Sets forth the process and requirements for health care providers and law enforcement concerning the processing and storage of sexual assault kits. Requires that certain data be published about law enforcement agency compliance with reporting requirements.	<u>SB-71</u> <u>AB-67</u>	Sen: Passed A: Criminal Justice & Public Safety	S: passed 3-16-21

	SEXUAL CONTACT BY LAW ENFORCEMENT <i>With a person in custody</i>	Creates a penalty (Class C Felony) for a law enforcement officer who engages in sexual contact or intercourse with a person who is detained by any law enforcement officer or is in the custody of any law enforcement officer.	<u>AB-127</u> <u>SB-199</u>	A: Criminal Justice & Public Safety	S. Public hearing held 3/18
✓	STALKING	Expands the definition of stalking to include conduct that uses electronic means of communication such as sending and posting online content, email and text messaging.	<u>SB-85</u> <u>AB-83</u>	Sen: Passed 3/23 A: committee recommended 3/12	Passed Senate 3/23 Assembly: On proposed calendar 4/13, 1:00
	TENANT/LANDLORD <i>Terminating certain tenancies for fear of imminent violence</i>	Concerning a tenant's liability for rent if he or she terminates a residential tenancy to escape an imminent threat of serious physical harm from another person. Requires written notice and a statement from a "qualified specialist" (as defined) or a certified copy of a protection order. Applies to victims of sexual assault, stalking or an act of domestic abuse.	<u>SB-67</u> <u>AB-58</u>	Sen: Human Services, Children & Families recommend passage 3/2 A: Housing & Real Estate public hearing held	
✓	VULNERABLE ADULTS <i>Financial exploitation</i>	If financial exploitation of a vulnerable adult is suspected, allows financial institutions and financial service providers to delay transactions and to provide information/notice to persons authorized by the vulnerable adult when the provider has reason to believe the vulnerable adult is a target or victim of financial exploitation.	<u>SB-19</u> <u>AB-46</u>	Sen: Financial Institutions and Revenue A: Criminal Justice & Public Safety	Public Hearing: Senate Financial Institutions, 4/12, 1:30, 411-S
✓	VULNERABLE ADULTS <i>Financial exploitation</i>	If financial exploitation of a vulnerable adult is suspected, allows broker-dealers and securities advisors to delay transactions or disbursements and to provide information to DFI, adult protective services and other persons about the suspected financial exploitation.	<u>SB-20</u> <u>AB-45</u>	Sen: Financial Institutions & Revenue A: Criminal Justice & Public Safety	Public Hearing: Senate Financial Institutions, 4/12, 1:30, 411-S