

SECTION 6. 75.11 (2) of the statutes is repealed.

SECTION 7. 331.25 (1) of the statutes is amended to read:

331.25 (1) The fees for publishing a legal notice shall be not more than \* \* \* \$1.25 per folio for the first insertion, and \* \* \* 90 cents per folio for each insertion after the first. *Where compensation is required to be based upon the square, the fees per square shall be the same as the fees per folio herein provided.*

SECTION 8. 370.01 (14) of the statutes is amended to read:

370.01 (14) FOLIO AND SQUARE. The word "folio," wherever it occurs, shall be construed to mean 100 words or figures. *The word "square" shall be construed to mean one inch in length of a column and not more than a newspaper column in width. Any fraction of a square or folio shall be paid for as a full square or folio.*

Approved July 30, 1947.

No. 486, S.]

[Published August 1, 1947.

### CHAPTER 459.

AN ACT to create 51.015 and 351.66 of the statutes, relating to sexual psychopaths and the treatment thereof, and providing penalties.

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

SECTION 1. 51.015 of the statutes is created to read:

51.015 SEXUAL PSYCHOPATHS. (1) DEFINITION. The term "sexual psychopaths" as used in this section and in section 351.66 means any person suffering from such conditions of emotional instability or impulsiveness of behavior, or lack of customary standards of good judgment, or failure to appreciate the consequences of his acts, or a combination of any such conditions, as to render such person irresponsible for his conduct with respect to sexual matters and thereby dangerous to himself and to other persons.

(2) PETITION FOR COMMITMENT; HEARING. Whenever facts are presented to the district attorney which satisfy him that good cause exists for judicial inquiry as to whether a person is a sexual psychopath, he shall prepare a petition

setting forth such facts and requesting a court to conduct an inquiry into the condition of such person. The petition shall be executed and verified by a person having knowledge of the facts upon which it is based. The petition shall be filed with the county court or with a court of record of the county in which such alleged sexual psychopath has his legal settlement or in which such person is present, except that where such alleged sexual psychopath is under the age of 18 the petition shall be filed with the juvenile court of such county. The court shall set a time for examination of the alleged sexual psychopathic person and for hearing. The court may, at its discretion, exclude the general public from attendance at such hearing. The alleged sexual psychopathic person may be represented by counsel; and if the court determines that he is financially unable to obtain counsel, the court may appoint counsel for him. Such alleged sexual psychopathic person shall be entitled to have subpoenas issued out of said court to compel the attendance of witnesses in his behalf. The court shall appoint two physicians having the qualifications provided in section 51.01 (2) to assist in the examination of the alleged sexual psychopathic person. The proceedings had shall be reduced to writing and shall be part of the records of such court. The physicians shall file with the court their written findings as to whether or not the person under examination is a sexual psychopath. The court shall make an order determining whether or not the person under examination is a sexual psychopath. From such order, the person determined to be a sexual psychopath may appeal directly to the supreme court.

(3) **COMMITMENT.** Any person determined by the court to be a sexual psychopath shall be committed to an institution designated by the county board of supervisors of any county having a population of 500,000 or more, which shall make adequate provision at such institution to house such persons and for their medical care while at such institution. Provision shall be made for detention, housing, care and treatment of sexual psychopaths under 18 separately from those over that age. In making such commitment the court shall determine the legal settlement of the person found to be a sexual psychopath.

(4) **JURY TRIAL.** If a jury is demanded by the alleged sexual psychopathic person or by any relative or friend acting in his behalf, the court shall direct that a jury be summoned

as provided in section 51.03 and the trial procedure shall be as provided in such statute, except that the issue shall be as to whether such person is or is not a sexual psychopath.

(5) **DETENTION PENDING INQUIRY.** On the receipt by a court of the application, the judge thereof may, if in his opinion the public safety requires it, deliver to the sheriff a written order requiring him forthwith to take and confine the person alleged to be a sexual psychopath, in some specified place until the proceedings provided for in this section can be had or until further order.

(6) **APPLICABILITY OF LAWS RELATING TO INSANE PERSONS.** After commitment of any person found to be a sexual psychopath such provisions of chapter 51 as are not in conflict with the provisions of this section shall be applicable with respect to the care and custody of such sexual psychopath except that the re-examination as permitted by section 51.11 shall be had before the court making the original commitment of such person as a sexual psychopath; and except further that as to the right of parole provided by section 51.13 the superintendent of the institution to which commitment is made shall make written recommendation for parole to the court from which the person was committed. Such court after considering such recommendation may at its discretion free the person committed on parole.

(7) **PERSON EXECUTING PETITION FOR EXAMINATION EXEMPT FROM DAMAGES.** The person who, acting in good faith, executes the petition for examination specified in subsection (2) of this section shall not be liable in damages to any other person for such act.

(8) **PAYMENT FOR MAINTENANCE; REIMBURSEMENT.** The county from which a person found to be a sexual psychopath is committed, if not the county wherein such person has his legal settlement, shall pay the costs of maintenance, care and treatment of such person during his commitment excluding, however, any depreciation charges for building to the county wherein the institution of commitment is located but shall be reimbursed out of such person's estate, or if he be indigent, by the county of his legal settlement.

**SECTION 2.** 351.66 of the statutes is created to read:  
351.66 **SEXUAL PSYCHOPATHIC PERSONALITY NOT A DEFENSE TO CRIMINAL CHARGE; EXCEPTION.** The determination by the court

that any person is a sexual psychopath as defined in section 51.015 shall not in any case constitute a defense to a charge of crime, nor relieve such person from liability to be tried upon a criminal charge, unless such person is in a condition of insanity, idiocy, imbecility or lunacy within the meaning of the statute relating to crime and criminal procedure.

Approved July 30, 1947.

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### CHAPTER 460.

AN ACT to repeal and recreate 85.01 (4) (a) of the statutes, relating to registration fees of automobiles.

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

SECTION 1. 85.01 (4) (a) of the statutes is repealed and recreated to read:

85.01 (4) (a) There shall be paid annually to the motor vehicle department for the registration of each automobile a fee of \$16; provided that any automobile registered prior to the effective date of the recreation of this subsection (1947) for a fee less than \$16 and any automobile 5 years or more old registered prior to said time for an amount less than \$16, shall continue to be registered for such lesser fee or amount so long as it continues to be registered.

SECTION 2. This act shall take effect 30 days after passage and publication.

Approved July 30, 1947.