

State of Wisconsin



2009 Senate Bill 325

Date of enactment: **May 7, 2010**
Date of publication*: **May 21, 2010**

2009 WISCONSIN ACT 257

AN ACT *to create* 301.50 of the statutes; **relating to:** notification to a parent before chaperoning a sex offender.

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

SECTION 1. 301.50 of the statutes is created to read:

301.50 Notification of intent to chaperone sex offenders. (1) In this section, "substantial parental relationship" means the acceptance and exercise of significant responsibility for the daily supervision, education, protection, and care of the child. In evaluating whether an individual has had a substantial parental relationship with the child, factors that may be considered include, but are not limited to, whether the individual has expressed concern for or interest in the support, care, or well-being of the child; whether the individual has neglected or refused to provide care or support for the child; and whether, with respect to an individual who is or may be the father of the child, the individual has expressed concern for or interest in the support, care, or well-being of the mother during her pregnancy.

(2) The department shall design a form to be signed by any individual who intends to be a chaperone for sex offenders. The form must include a place for the individual's signature as well as a statement that the individual

has, unless par. (a), (b), or (c) applies, informed, in writing, or has made a good faith effort to inform, any individual with whom the individual who intends to be a chaperone has a child in common, whether through blood, marriage, or adoption, of his or her intent to chaperone a sex offender. The individual does not have to inform an individual with whom he or she has a child in common if any of the following applies:

(a) The child in common is over the age of 18.

(b) The individual who intends to be a chaperone is not the child's parent or has not had a substantial parental relationship with the child.

(c) The individual who has a child in common with the individual who intends to be a chaperone is not the child's parent or has not had a substantial parental relationship with the child.

(3) The department is immune from any civil liability for any good faith act or omission of the department in connection with the requirements under this section.

SECTION 2. Initial applicability.

(1) This act first applies to individuals who are approved to be a chaperone on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 2007-08 : 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 as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].