



**SENATE AMENDMENT 2,
TO 2005 SENATE BILL 580**

February 22, 2006 – Offered by Senator DARLING.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 8, line 10: after “probation.” insert “This section does not apply if the
3 offender was under 18 years of age when the violation occurred.”.

4 **2.** Page 8, line 21: delete “is guilty of” and substitute “~~is guilty of~~”.

5 **3.** Page 8, line 22: delete “a Class F C felony” and substitute “a Class F felony
6 may be penalized under sub. (2p)”.

7 **4.** Page 9, line 1: delete “is” and substitute “is”.

8 **5.** Page 9, line 2: delete “guilty of a Class F C felony” and substitute “~~guilty of~~
9 a Class F felony may be penalized under sub. (2p)”.

10 **6.** Page 9, line 9: delete “is guilty of a Class F C felony” and substitute “~~is guilty~~
11 of a Class F felony may be penalized under sub. (2p)”.

12 **7.** Page 9, line 9: after that line insert:

1 “**SECTION 23m.** 948.05 (2p) of the statutes is created to read:

2 948.05 (**2p**) (a) Except as provided in par. (b), a person who violates sub. (1),
3 (1m), or (2) is guilty of a Class C felony.

4 (b) A person who violates sub. (1), (1m), or (2) is guilty of a Class F felony if the
5 person is under 18 years of age when the offense occurs.”.

6 **8.** Page 9, line 19: after “requirement” insert “if the actor was at least 18 years
7 of age when the offense under sub. (1r) allegedly occurred”.

8 **9.** Page 10, line 23: delete “is guilty” and substitute “is guilty”.

9 **10.** Page 10, line 24: delete “of a Class I C felony” and substitute “of a Class
10 I felony may be penalized under sub. (3)”.

11 **11.** Page 11, line 2: delete “is guilty of a Class I C felony” and substitute “is
12 guilty of a Class I felony may be penalized under sub. (2p)”.

13 **12.** Page 11, line 2: after that line insert:

14 “**SECTION 29m.** 948.12 (3) of the statutes is created to read:

15 948.12 (**3**) (a) Except as provided in par. (b), a person who violates sub. (1m)
16 or (2m) is guilty of a Class C felony.

17 (b) A person who violates sub. (1m) or (2m) is guilty of a Class F felony if the
18 person is under 18 years of age when the offense occurs.”.

19 **13.** Page 11, line 7: delete “primarily and” and substitute “directly with
20 children under 16 years of age or, if the person is under 18 years of age, primarily
21 and”.

