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## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

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**2005 Senate Bill 176**

**Senate Substitute  
Amendment 1**

*Memo published: April 25, 2006*

*Contact: Ronald Sklansky, Senior Staff Attorney (266-1946)*

Senate Substitute Amendment 1 to Senate Bill 176 provides that a sex offender, or a sexually violent person under supervised release, as a condition of mandatory release, extended supervision, or parole, may not establish or reestablish a residence if the residence is within 0.5 miles of the residence of the person's victim. This provision does not apply under either of the following circumstances:

1. The person is reestablishing the residence that he or she had on the day of the offense and the victim resided more than 0.5 miles from that residence on that day.
2. The victim has not registered with the Department of Corrections (DOC), or the Department of Health and Family Services in the case of a sexually violent person, in order to receive information regarding the released person.

The substitute amendment also provides that if a court places a person on probation for a serious sex offense, it must impose the following conditions of probation, which will apply only if the victim is registered with DOC to receive information regarding the person:

1. The person may not move to a residence that is within 0.5 miles of the residence of the victim.
2. If, immediately before being placed on probation, the person resided within 0.5 miles of the residence of the victim, the person must move to a residence that is at least 0.5 miles from the residence of the victim.

Current law defines a "serious sex offense" to mean first-degree or second-degree sexual assault, first-degree or second-degree sexual assault of a child, repeated sexual assault of a child, incest with a child, or child enticement. The substitute amendment adds to that definition third-degree or fourth-degree sexual assault or sexual exploitation by a therapist.

**Legislative History**

On March 9, 2006, the Senate adopted Senate Substitute Amendment 1 and passed Senate Bill 176 on voice votes.

RS:jal