



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-5314/1
MJW&CMH:cjs

2023 ASSEMBLY BILL 971

January 18, 2024 - Introduced by Representatives EMERSON, O'CONNOR, CONLEY, C. ANDERSON, J. ANDERSON, BILLINGS, DITTRICH, DRAKE, EDMING, GUNDRUM, HURD, JOERS, KITCHENS, KRUG, MAXEY, MOORE OMOKUNDE, MURPHY, MURSAU, OHNSTAD, RATCLIFF, SCHRAA, SHANKLAND, STUBBS and SUBECK, cosponsored by Senators L. JOHNSON, CARPENTER, ROYS, SPREITZER, TAYLOR and WIRCH. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT to amend** 48.371 (3) (d), 103.10 (1m) (b) 6., 103.34 (1) (b) 2., 165.505 (1)
2 (am), 165.68 (1) (a) 5., 165.84 (7) (ab) 1., 178.09031 (5), 178.10101 (1) (g),
3 179.0811 (1) (e), 179.10101 (1) (g), 180.1420 (6), 180.1530 (1) (g), 181.1420 (7),
4 181.1530 (1) (g), 183.0708 (1) (e), 183.09101 (1) (g), 250.04 (14) (a), 301.45 (1d)
5 (b), 440.312 (2), 440.982 (2), 905.045 (1) (a), 939.46 (1m), 939.615 (1) (b) 1.,
6 939.632 (1) (e) 1., 940.302 (2) (a) (intro.), 941.29 (1g) (a), 946.82 (4), 949.03 (2),
7 950.045 (1) (a), 950.045 (2) (a), 969.001 (3) (a), 969.08 (10) (b), 970.03 (4) (a),
8 971.31 (11), 972.11 (2) (b) (intro.), 973.015 (2m) (a), 973.075 (1) (b) 3., 973.075
9 (2) (intro.) and 973.123 (1); and **to create** 940.303 of the statutes; **relating to:**
10 human trafficking of adults at risk for the purpose of commercial sex acts and
11 providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law it is a Class D felony to traffick an adult for the purpose of commercial sex acts and it is a Class C felony to traffick a child for the purpose of commercial sex acts. This bill increases the felony classification to a Class C felony for trafficking an adult for the purpose of commercial sex acts if the adult is an adult

ASSEMBLY BILL 971

at risk. Under the bill, an “adult at risk” is defined as an adult who has a physical or mental condition that substantially impairs his or her ability to care for his or her needs and who has experienced, is currently experiencing, or is at risk of experiencing abuse, neglect, self-neglect, or financial exploitation.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

1 **SECTION 1.** 48.371 (3) (d) of the statutes is amended to read:

2 48.371 **(3)** (d) Any involvement of the child, whether as victim or perpetrator,
3 in sexual intercourse or sexual contact in violation of s. 940.225, 948.02, 948.025, or
4 948.085, prostitution in violation of s. 944.30 (1m), trafficking in violation of s.
5 940.302 (2) if s. 940.302 (2) (a) 1. b. applies or in violation of s. 940.303, sexual
6 exploitation of a child in violation of s. 948.05, trafficking of a child in violation of s.
7 948.051, or causing a child to view or listen to sexual activity in violation of s.
8 948.055, if the information is necessary for the care of the child or for the protection
9 of any person living in the foster home, group home, or residential care center for
10 children and youth or in the home of the relative.

11 **SECTION 2.** 103.10 (1m) (b) 6. of the statutes is amended to read:

12 103.10 **(1m)** (b) 6. “Sexual abuse” means conduct that is in violation of s.
13 940.225, 940.303, 944.30 (1m), 948.02, 948.025, 948.05, 948.051, 948.055, 948.06,
14 948.085, 948.09, or 948.10 or that is in violation of s. 940.302 (2) if s. 940.302 (2) (a)
15 1. b. applies.

16 **SECTION 3.** 103.34 (1) (b) 2. of the statutes is amended to read:

17 103.34 **(1)** (b) 2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.07,
18 940.08, 940.09, 940.10, 940.19 (2), (4), (5), or (6), 940.198 (2), 940.21, 940.225 (1), (2),

ASSEMBLY BILL 971

1 or (3), 940.23, 940.235, 940.24, 940.25, 940.30, 940.302, 940.303, 940.305, 940.31,
2 943.02, 943.03, 943.04, 943.10, 943.30, 943.31, 943.32, 944.32, 944.34, 946.10, 948.02
3 (1) or (2), 948.025, 948.03 (2), (3), or (5) (a) 1., 2., 3., or 4., 948.04, 948.05, 948.051,
4 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, 948.11 (2) (a) or (am), 948.12,
5 948.13, 948.21 (2), 948.215, or 948.30 or of a substantially similar federal law or law
6 of another state.

7 **SECTION 4.** 165.505 (1) (am) of the statutes is amended to read:

8 165.505 (1) (am) “Human trafficking crime” means the commission of, or the
9 solicitation, conspiracy, or attempt to commit, a violation of s. 940.302, 940.303, or
10 948.051.

11 **SECTION 5.** 165.68 (1) (a) 5. of the statutes is amended to read:

12 165.68 (1) (a) 5. Trafficking under s. 940.302 or 940.303.

13 **SECTION 6.** 165.84 (7) (ab) 1. of the statutes, as affected by 2023 Wisconsin Act
14 10, is amended to read:

15 165.84 (7) (ab) 1. A felony violation of s. 940.01, 940.05, 940.198 (2), 940.21,
16 940.225 (1), (2), or (3), 940.235, 940.30, 940.302 (2), 940.303, 940.305, 940.31, 940.32
17 (2), (2e), or (2m), 940.43, 940.45, 941.20, 941.21, 941.327, 943.02, 943.06, 943.10,
18 943.23 (2), 943.231 (1), 943.32, 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5)
19 (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.07, 948.08, 948.085, 948.095, or
20 948.30 (2).

21 **SECTION 7.** 178.09031 (5) of the statutes is amended to read:

22 178.09031 (5) The partnership violates s. 940.302 (2), 940.303 (3), or 948.051
23 (2).

24 **SECTION 8.** 178.10101 (1) (g) of the statutes is amended to read:

ASSEMBLY BILL 971

1 178.10101 (1) (g) The foreign limited liability partnership violates s. 940.302
2 (2), 940.302 (3), or 948.051 (2).

3 **SECTION 9.** 179.0811 (1) (e) of the statutes is amended to read:

4 179.0811 (1) (e) The partnership violates s. 940.302 (2), 940.302 (3), or 948.051
5 (2).

6 **SECTION 10.** 179.10101 (1) (g) of the statutes is amended to read:

7 179.10101 (1) (g) The foreign limited partnership violates s. 940.302 (2),
8 940.303 (3), or 948.051 (2).

9 **SECTION 11.** 180.1420 (6) of the statutes is amended to read:

10 180.1420 (6) The corporation violates s. 940.302 (2), 940.303 (3), or 948.051 (2).

11 **SECTION 12.** 180.1530 (1) (g) of the statutes is amended to read:

12 180.1530 (1) (g) The foreign corporation violates s. 940.302 (2), 940.303 (3), or
13 948.051 (2).

14 **SECTION 13.** 181.1420 (7) of the statutes is amended to read:

15 181.1420 (7) HUMAN TRAFFICKING. The corporation violates s. 940.302 (2),
16 940.303 (3), or 948.051 (2).

17 **SECTION 14.** 181.1530 (1) (g) of the statutes is amended to read:

18 181.1530 (1) (g) The foreign corporation violates s. 940.302 (2), 940.303 (3), or
19 948.051 (2).

20 **SECTION 15.** 183.0708 (1) (e) of the statutes is amended to read:

21 183.0708 (1) (e) The company violates s. 940.302 (2), 940.303 (3), or 948.051 (2).

22 **SECTION 16.** 183.09101 (1) (g) of the statutes is amended to read:

23 183.09101 (1) (g) The foreign limited liability company violates s. 940.302 (2),
24 940.303 (3), or 948.051 (2).

25 **SECTION 17.** 250.04 (14) (a) of the statutes is amended to read:

ASSEMBLY BILL 971

1 250.04 (14) (a) Subject to the availability of funds and to par. (b), the
2 department may provide or fund emergency services or assistance to victims of s.
3 940.302 (2), 940.303, or 948.051.

4 **SECTION 18.** 301.45 (1d) (b) of the statutes is amended to read:

5 301.45 (1d) (b) “Sex offense” means a violation, or the solicitation, conspiracy,
6 or attempt to commit a violation, of s. 940.22 (2), 940.225 (1), (2) or (3), 940.303,
7 944.06, 944.18, 948.02 (1) or (2), 948.025, 948.05, 948.051, 948.055, 948.06, 948.07
8 (1) to (4), 948.075, 948.08, 948.085, 948.095, 948.11 (2) (a) or (am), 948.12, 948.13, or
9 948.30, of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, or of s. 940.30 or 940.31 if
10 the victim was a minor and the person who committed the violation was not the
11 victim’s parent.

12 **SECTION 19.** 440.312 (2) of the statutes is amended to read:

13 440.312 (2) The department may not grant a license under this subchapter to
14 any person who has been convicted of an offense under s. 940.22, 940.225, 940.302
15 (2) (a) 1. b., 940.303, 944.06, 944.15, 944.17, 944.30 (1m), 944.31, 944.32, 944.33,
16 944.34, 948.02, 948.025, 948.051, 948.06, 948.07, 948.075, 948.08, 948.081, 948.09,
17 948.095, 948.10, 948.11, or 948.12.

18 **SECTION 20.** 440.982 (2) of the statutes is amended to read:

19 440.982 (2) The department may not grant a license under this subchapter to
20 any person who has been convicted of an offense under s. 940.22, 940.225, 940.303,
21 944.06, 944.15, 944.17, 944.30 (1m), 944.31, 944.32, 944.33, 944.34, 948.02, 948.025,
22 948.051, 948.06, 948.07, 948.075, 948.08, 948.081, 948.09, 948.095, 948.10, 948.11,
23 or 948.12 or under s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.

24 **SECTION 21.** 905.045 (1) (a) of the statutes is amended to read:

ASSEMBLY BILL 971

1 905.045 (1) (a) “Abusive conduct” means abuse, as defined in s. 813.122 (1) (a),
2 of a child, as defined in s. 813.122 (1) (b), interspousal battery, as described under s.
3 940.19 or 940.20 (1m), domestic abuse, as defined in s. 813.12 (1) (am), sexual
4 exploitation by a therapist under s. 940.22, sexual assault under s. 940.225, human
5 trafficking involving a commercial sex act under s. 940.302 or 940.303, or child
6 sexual abuse under s. 948.02, 948.025, or 948.05 to 948.11.

7 **SECTION 22.** 939.46 (1m) of the statutes is amended to read:

8 939.46 (1m) A victim of a violation of s. 940.302 (2), 940.303, or 948.051 has
9 an affirmative defense for any offense committed as a direct result of the violation
10 of s. 940.302 (2), 940.303, or 948.051 without regard to whether anyone was
11 prosecuted or convicted for the violation of s. 940.302 (2), 940.303, or 948.051.

12 **SECTION 23.** 939.615 (1) (b) 1. of the statutes is amended to read:

13 939.615 (1) (b) 1. A violation, or the solicitation, conspiracy, or attempt to
14 commit a violation, of s. 940.22 (2), 940.225 (1), (2), or (3), 940.303, 948.02 (1) or (2),
15 948.025 (1), 948.05 (1) or (1m), 948.051, 948.055 (1), 948.06, 948.07, 948.075, 948.08,
16 948.085, 948.11 (2) (a), 948.12, or 948.13 or of s. 940.302 (2) if s. 940.302 (2) (a) 1. b.
17 applies.

18 **SECTION 24.** 939.632 (1) (e) 1. of the statutes, as affected by 2023 Wisconsin Act
19 10, is amended to read:

20 939.632 (1) (e) 1. Any felony under s. 940.01, 940.02, 940.03, 940.05, 940.09
21 (1c), 940.19 (2), (4) or (5), 940.198 (2) (a) or (c), 940.21, 940.225 (1), (2) or (3), 940.235,
22 940.303, 940.305, 940.31, 941.20, 941.21, 943.02, 943.06, 943.10 (2), 943.231 (1),
23 943.32 (2), 948.02 (1) or (2), 948.025, 948.03 (2) (a) or (c) or (5) (a) 1., 2., 3., or 4., 948.05,
24 948.051, 948.055, 948.07, 948.08, 948.085, or 948.30 (2) or under s. 940.302 (2) if s.
25 940.302 (2) (a) 1. b. applies.

ASSEMBLY BILL 971

1 **SECTION 25.** 940.302 (2) (a) (intro.) of the statutes is amended to read:

2 940.302 (2) (a) (intro.) Except as provided in s. 940.303 or 948.051, whoever
3 knowingly engages in trafficking is guilty of a Class D felony if all of the following
4 apply:

5 **SECTION 26.** 940.303 of the statutes is created to read:

6 **940.303 Trafficking of an adult at risk. (1)** In this section:

7 (a) “Adult at risk” has the meaning given in s. 55.01 (1e).

8 (b) “Commercial sex act” has the meaning given in s. 940.302 (1) (a).

9 **(2)** Whoever knowingly recruits, entices, provides, obtains, harbors,
10 transports, patronizes, or solicits or knowingly attempts to recruit, entice, provide,
11 obtain, harbor, transport, patronize, or solicit an adult at risk for the purpose of
12 commercial sex acts is guilty of a Class C felony.

13 **(3)** Whoever benefits in any manner from a violation of sub. (2) is guilty of a
14 Class C felony if the person knows that the benefits come from an act described in
15 sub. (2).

16 **(4)** Any person who incurs an injury or death as a result of a violation of sub.
17 (2) or (3) may bring a civil action against the person who committed the violation.
18 In addition to actual damages, the court may award punitive damages to the injured
19 party, not to exceed treble the amount of actual damages incurred, and reasonable
20 attorney fees.

21 **SECTION 27.** 941.29 (1g) (a) of the statutes, as affected by 2023 Wisconsin Act
22 10, is amended to read:

23 941.29 (1g) (a) “Violent felony” means any felony under s. 943.23 (1m), 1999
24 stats., s. 943.23 (1r), 1999 stats., or s. 943.23 (1g), 2021 stats., this section, or s.
25 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195,

ASSEMBLY BILL 971

1 940.198, 940.20, 940.201, 940.203, 940.204, 940.21, 940.225, 940.23, 940.235,
2 940.285 (2), 940.29, 940.295 (3), 940.30, 940.302, 940.303, 940.305, 940.31, 940.43
3 (1) to (3), 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.2905, 941.292, 941.30, 941.327
4 (2) (b) 3. or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.231 (1), 943.32, 943.87, 946.43,
5 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.08,
6 948.085, or 948.30.

7 **SECTION 28.** 946.82 (4) of the statutes, as affected by 2023 Wisconsin Act 73,
8 is amended to read:

9 946.82 (4) "Racketeering activity" means any activity specified in 18 USC 1961
10 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission
11 of any of the felonies specified in: chs. 945 and 961, subch. V of ch. 551, and ss. 49.49,
12 134.05, 139.44 (1), 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625,
13 221.0636, 221.0637, 221.1004, 553.41 (3) and (4), 553.52 (2), 940.01, 940.19 (4) to (6),
14 940.20, 940.201, 940.203, 940.21, 940.30, 940.302 (2), 940.303, 940.305, 940.31,
15 941.20 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 942.09, 943.01 (2), (2d),
16 or (2g), 943.011, 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10,
17 943.20 (3) (bf) to (e), 943.201, 943.203, 943.23 (2) and (3), 943.231 (1), 943.24 (2),
18 943.27, 943.28, 943.30, 943.32, 943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40,
19 943.41 (8) (b) and (c), 943.50 (4) (bf), (bm), and (c) and (4m), 943.60, 943.70, 943.76,
20 943.81, 943.82, 943.83, 943.84, 943.85, 943.86, 943.87, 943.88, 943.89, 943.90, 944.21
21 (5) (c) and (e), 944.32, 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10,
22 946.11, 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65,
23 946.72, 946.76, 946.79, 947.015, 948.05, 948.051, 948.08, 948.12, and 948.30.

24 **SECTION 29.** 949.03 (2) of the statutes, as affected by 2023 Wisconsin Act 10,
25 is amended to read:

ASSEMBLY BILL 971

1 949.03 (2) The commission or the attempt to commit any crime specified in s.
2 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08,
3 940.09, 940.10, 940.19, 940.198, 940.20, 940.201, 940.204, 940.21, 940.22 (2),
4 940.225, 940.23, 940.235, 940.24, 940.25, 940.285, 940.29, 940.30, 940.302 (2),
5 940.303, 940.305, 940.31, 940.32, 941.327, 942.09, 943.02, 943.03, 943.04, 943.10,
6 943.20, 943.231 (1), 943.32, 943.81, 943.86, 943.87, 948.02, 948.025, 948.03, 948.04,
7 948.05, 948.051, 948.06, 948.07, 948.075, 948.08, 948.085, 948.09, 948.095, 948.20,
8 948.21 (1), 948.30, or 948.51.

9 **SECTION 30.** 950.045 (1) (a) of the statutes is amended to read:

10 950.045 (1) (a) In addition to all rights afforded to victims under s. 950.04, an
11 individual who is a victim of a violation of s. 940.22, 940.225, 940.302, 940.303,
12 948.02, 948.025, or 948.05 to 948.11 has the right to be accompanied by a victim
13 advocate at law enforcement interviews, subject to par. (b) or (c) and except as
14 provided in par. (c) or (d).

15 **SECTION 31.** 950.045 (2) (a) of the statutes is amended to read:

16 950.045 (2) (a) In addition to all rights afforded to victims under s. 950.04, an
17 individual who is a victim of a violation of s. 940.22, 940.225, 940.302, 940.303,
18 948.02, 948.025, or 948.05 to 948.11 has a right to be accompanied by a victim
19 advocate at interviews and proceedings at which he or she is requested or allowed
20 to attend that are related to the crime committed against him or her, including
21 prosecution interviews, department of corrections proceedings, court proceedings,
22 and postconviction proceedings, except as provided in s. 950.045 (1) (c) and (d).

23 **SECTION 32.** 969.001 (3) (a) of the statutes, as affected by 2023 Wisconsin Act
24 10, is amended to read:

ASSEMBLY BILL 971

1 969.001 (3) (a) A crime specified under s. 940.01, 940.02, 940.03, 940.05,
2 940.06, 940.07, 940.08, 940.09 (1), 940.10, 940.11, 940.12, 940.19 (1), (2), (4), (5), or
3 (6), 940.195 (1), (2), (4), (5), or (6), 940.198 (2) or (3), 940.20, 940.201 (2), 940.203 (2),
4 940.204, 940.205 (2), 940.207 (2), 940.208, 940.21, 940.225 (1), (2), or (3), 940.23,
5 940.235, 940.24, 940.25, 940.285, 940.29, 940.30, 940.302 (2), 940.303, 940.305,
6 940.31, 940.32, 940.43, 940.45, 941.20, 941.21, 941.28, 941.2905, 941.292, 941.30,
7 941.327, 941.38 (2) or (3), 941.39, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04,
8 943.06, 943.10, 943.231 (1) or (2), 943.30, 943.32, 943.87, 946.43, 947.013, 947.015,
9 948.02 (1) or (2), 948.025, 948.03 (2), (3), or (5), 948.04, 948.05, 948.051, 948.055,
10 948.06, 948.07, 948.08, 948.085, 948.095, 948.30 (2), 948.55, 951.02, 951.08, or
11 951.09.

12 **SECTION 33.** 969.08 (10) (b) of the statutes, as affected by 2023 Wisconsin Act
13 10, is amended to read:

14 969.08 (10) (b) “Serious crime” means any crime specified in s. 943.23 (1m),
15 1999 stats., s. 943.23 (1r), 1999 stats., or s. 943.23 (1g), 2021 stats., or s. 346.62 (4),
16 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19 (5), 940.195
17 (5), 940.198 (2) (a) or (c), 940.20, 940.201, 940.203, 940.204, 940.21, 940.225 (1) to (3),
18 940.23, 940.24, 940.25, 940.29, 940.295 (3) (b) 1g., 1m., 1r., 2. or 3., 940.302 (2),
19 940.303, 940.31, 941.20 (2) or (3), 941.26, 941.30, 941.327, 943.01 (2) (c), 943.011,
20 943.013, 943.02, 943.03, 943.04, 943.06, 943.10, 943.231 (1), 943.30, 943.32, 943.81,
21 943.82, 943.83, 943.85, 943.86, 943.87, 943.88, 943.89, 943.90, 946.01, 946.02,
22 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051, 948.06,
23 948.07, 948.085, or 948.30 or, if the victim is a financial institution, as defined in s.
24 943.80 (2), a crime under s. 943.84 (1) or (2).

25 **SECTION 34.** 970.03 (4) (a) of the statutes is amended to read:

ASSEMBLY BILL 971

1 970.03 (4) (a) If the defendant is accused of a crime under s. 940.225, 940.303,
2 948.02, 948.025, 948.05, 948.051, 948.06, 948.085, or 948.095, or under s. 940.302 (2),
3 if the court finds that the crime was sexually motivated, as defined in s. 980.01 (5),
4 the court may exclude from the hearing all persons who are not officers of the court,
5 members of the complainant's or defendant's families or others considered by the
6 court to be supportive of the complainant or defendant, the service representative,
7 as defined in s. 895.45 (1) (c), or other persons required to attend, if the court finds
8 that the state or the defendant has established a compelling interest that would
9 likely be prejudiced if the persons were not excluded. The court may consider as a
10 compelling interest, among others, the need to protect a complainant from undue
11 embarrassment and emotional trauma.

12 **SECTION 35.** 971.31 (11) of the statutes is amended to read:

13 971.31 (11) In actions under s. 940.225, 940.303, 948.02, 948.025, 948.051,
14 948.085, or 948.095, or under s. 940.302 (2), if the court finds that the crime was
15 sexually motivated, as defined in s. 980.01 (5), evidence which is admissible under
16 s. 972.11 (2) must be determined by the court upon pretrial motion to be material to
17 a fact at issue in the case and of sufficient probative value to outweigh its
18 inflammatory and prejudicial nature before it may be introduced at trial.

19 **SECTION 36.** 972.11 (2) (b) (intro.) of the statutes is amended to read:

20 972.11 (2) (b) (intro.) If the defendant is accused of a crime under s. 940.225,
21 940.303, 942.09, 948.02, 948.025, 948.05, 948.051, 948.06, 948.07, 948.08, 948.085,
22 948.09, or 948.095, or under s. 940.302 (2), if the court finds that the crime was
23 sexually motivated, as defined in s. 980.01 (5), any evidence concerning the
24 complaining witness's prior sexual conduct or opinions of the witness's prior sexual
25 conduct and reputation as to prior sexual conduct shall not be admitted into evidence

ASSEMBLY BILL 971

1 during the course of the hearing or trial, nor shall any reference to such conduct be
2 made in the presence of the jury, except the following, subject to s. 971.31 (11):

3 **SECTION 37.** 973.015 (2m) (a) of the statutes is amended to read:

4 973.015 (2m) (a) The person was a victim of trafficking for the purposes of a
5 commercial sex act, as defined in s. 940.302 (1) (a), under s. 940.302, 940.303, or
6 948.051 or under 22 USC 7101 to 7112.

7 **SECTION 38.** 973.075 (1) (b) 3. of the statutes is amended to read:

8 973.075 (1) (b) 3. In the commission of a crime in violation of s. 940.302,
9 940.303, 944.30 (1m), 944.31, 944.32, 944.33, 944.34, 948.02, 948.025, 948.05,
10 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.09, 948.10, 948.12, or 948.14.

11 **SECTION 39.** 973.075 (2) (intro.) of the statutes is amended to read:

12 973.075 (2) (intro.) A law enforcement officer may seize property subject to this
13 section upon process issued by any court of record having jurisdiction over the
14 property. Except for vehicles used in the commission of a crime in violation of s.
15 940.302, 940.303, 944.30 (1m), 944.31, 944.32, 944.33, 944.34, 948.02, 948.025,
16 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.09, 948.10, 948.12, or
17 948.14, seizure without process may be made under any of the following
18 circumstances:

19 **SECTION 40.** 973.123 (1) of the statutes, as affected by 2023 Wisconsin Act 10,
20 is amended to read:

21 973.123 (1) In this section, “violent felony” means any felony under s. 943.23
22 (1m), 1999 stats., s. 943.23 (1r), 1999 stats., or s. 943.23 (1g), 2021 stats., or s. 940.01,
23 940.02, 940.03, 940.05, 940.06, 940.08, 940.09, 940.10, 940.19, 940.195, 940.198,
24 940.20, 940.201, 940.203, 940.204, 940.21, 940.225, 940.23, 940.235, 940.285 (2),
25 940.29, 940.295 (3), 940.30, 940.302, 940.303, 940.305, 940.31, 940.43 (1) to (3),

ASSEMBLY BILL 971

1 940.45 (1) to (3), 941.20, 941.26, 941.28, 941.29, 941.292, 941.30, 941.327 (2) (b) 3.
2 or 4., 943.02, 943.04, 943.06, 943.10 (2), 943.231 (1), 943.32, 943.87, 946.43, 948.02
3 (1) or (2), 948.025, 948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.08, 948.085,
4 or 948.30.

5 (END)