

# State of Wisconsin



2015 Assembly Bill 566

Date of enactment: **March 30, 2016**

Date of publication\*: **March 31, 2016**

## 2015 WISCONSIN ACT 320

AN ACT *to amend* 942.08 (2) (intro.), 942.09 (2) (am) (intro.), 942.09 (3m) (a) (intro.), 942.09 (5) (a) (intro.) and 942.09 (5) (b) 1. (intro.); and *to create* 942.08 (3), 942.09 (2) (dm), 942.09 (3m) (am), 942.09 (5) (am) and 942.09 (5) (bn) of the statutes; **relating to:** invasions of privacy and providing a criminal penalty.

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

**SECTION 1.** 942.08 (2) (intro.) of the statutes is amended to read:

942.08 (2) (intro.) ~~Whoever~~ Except as provided in sub. (3), whoever does any of the following is guilty of a Class A misdemeanor:

**SECTION 2.** 942.08 (3) of the statutes is created to read:

942.08 (3) A person who commits a violation specified under sub. (2) is guilty of a Class I felony if a victim of the violation had not, at the time of the violation, attained the age of 18 years.

**SECTION 3.** 942.09 (2) (am) (intro.) of the statutes is amended to read:

942.09 (2) (am) (intro.) ~~Whoever~~ Except as provided in par. (dm), whoever does any of the following is guilty of a Class I felony:

**SECTION 4.** 942.09 (2) (dm) of the statutes is created to read:

942.09 (2) (dm) Except as provided in par. (bm), a person who commits a violation specified under par. (am) is guilty of a Class H felony if the person depicted in violation of par. (am) had not, at the time of the violation, attained the age of 18 years.

**SECTION 5.** 942.09 (3m) (a) (intro.) of the statutes is amended to read:

942.09 (3m) (a) (intro.) ~~Whoever~~ Except as provided in par. (am), whoever does any of the following is guilty of a Class A misdemeanor:

**SECTION 6.** 942.09 (3m) (am) of the statutes is created to read:

942.09 (3m) (am) A person who commits a violation specified under par. (a) is guilty of a Class I felony if the person depicted or represented in the violation of par. (a) had not, at the time of the violation, attained the age of 18 years.

**SECTION 7.** 942.09 (5) (a) (intro.) of the statutes is amended to read:

942.09 (5) (a) (intro.) ~~Whoever~~ Except as provided in par. (am), whoever, while present in a locker room, intentionally captures a representation of a nude or partially nude person while the person is nude or partially nude in the locker room is guilty of a Class B ~~A~~ misdemeanor. This paragraph does not apply if the person consents to the capture of the representation and one of the following applies:

**SECTION 8.** 942.09 (5) (am) of the statutes is created to read:

942.09 (5) (am) A person who commits a violation specified under par. (a) is guilty of a Class I felony if the

\* Section 991.11, WISCONSIN STATUTES: 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."

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person represented in violation of par. (a) had not, at the time of the violation, attained the age of 18 years.

**SECTION 9.** 942.09 (5) (b) 1. (intro.) of the statutes is amended to read:

942.09 (5) (b) 1. (intro.) ~~Whoever~~ Except as provided in par. (bn), whoever intentionally does any of the following is guilty of a Class ~~A misdemeanor~~ I felony:

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**SECTION 10.** 942.09 (5) (bn) of the statutes is created to read:

942.09 (5) (bn) A person who commits a violation specified under par. (b) is guilty of a Class H felony if the person represented in violation of par. (a) had not, at the time of the violation, attained the age of 18 years.