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# Wisconsin Legislative Council

## ACT MEMO

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### 2023 Wisconsin Act 225 [2023 Senate Bill 321]

### Prohibited Acts Relating to Child Sex Dolls

2023 Wisconsin Act 225 creates new crimes relating to child sex dolls. The act defines a “child sex doll” as an anatomically correct doll, mannequin, or robot with features that are intended to resemble a minor that is intended for use in sex acts, for sexual gratification, or for the purpose of manipulating children into participating in sex acts, instructing children how to participate in sexual acts, or normalizing sexual behavior with children.

Act 225 prohibits various acts relating to child sex dolls and penalizes such conduct under various felony classifications, depending on the type of prohibited act, whether the individual has a prior offense for that type of prohibited act, or, for some offenses, whether the child sex doll is intended to resemble a specific minor.

## POSSESSION

Act 225 prohibits a person from intentionally possessing a child sex doll. The penalties for violating this crime differ depending on the circumstances, as follows:

- For a first offense involving fewer than three child sex dolls, a Class I felony.
- For a second offense or for an offense involving at least three child sex dolls, a Class H felony.
- For a third or subsequent offense, a Class G felony.
- For a first offense involving a child sex doll that is intended to resemble a specific minor, a Class E felony.
- For a second or subsequent offense involving a child sex doll that is intended to resemble a specific minor, a Class D felony.

## SALES, TRANSFERS, AND OTHER RELATED ACTS

Act 225 prohibits any person from intentionally selling, transferring possession of, advertising, displaying, or providing premises for the use of a child sex doll, or offering to do any of those acts. A person’s first offense of this crime is punishable as a Class I felony. However, a second offense constitutes a Class H felony, and a third or subsequent offense constitutes a Class G felony.

In addition, Act 225 prohibits intentionally selling, transferring possession of, advertising, or displaying instructions on how to create a child sex doll or materials intended to create a child sex doll, or offering to do any of those acts. A person who violates this crime is guilty of a Class F felony for a first offense, or a Class E felony for a second or subsequent offense.

## MANUFACTURING

Act 225 prohibits intentionally manufacturing a child sex doll. The penalties for violating this offense differ depending on the circumstances, as follows:

- For a first offense, a Class F felony.
- For a second or subsequent offense, a Class E felony.
- For a first offense involving a child sex doll that is intended to resemble a specific minor, a Class E felony.
- For a second or subsequent offense involving a child sex doll that is intended to resemble a specific minor, a Class D felony.

## EXCEPTIONS

The act specifies that these new crimes do not apply to a law enforcement officer, physician, psychologist, attorney, officer of the court, or other person involved in law enforcement or child therapy in the lawful performance of his or her duty. In addition, manufacturers or distributors who provide or manufacture child sex dolls for lawful use by one of those professionals are exempt from the specific crimes otherwise prohibiting such manufacturing or distribution.

## PENALTY ENHANCER

Act 225 applies a penalty enhancer to any of the new crimes relating to child sex dolls if the person who commits a violation has been previously convicted of certain crimes against children. Specifically, a person who commits a violation of any of the offenses created by the act is guilty of a felony that is one classification higher than the penalty provided in the act, if the person has one or more prior convictions for a violation of one of the following crimes:

- First-degree sexual assault of a child.
- Engaging in repeated acts of sexual assault of the same child as Class A or Class B felony violations.
- Physical abuse of a child by intentionally causing bodily harm or great bodily harm.
- Sexual exploitation of a child.
- Use of a computer to facilitate a child sex crime.
- Possession of child pornography.

**Effective date:** March 29, 2024. Act 225 specifies that it first applies to violations committed on March 29, 2024, but does not preclude the counting of offenses committed before March 29, 2024, as a prior conviction of the relevant crimes against children for purposes of the penalty enhancer.

For a full history of the bill, visit the Legislature's [bill history page](#).

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