

State of Wisconsin



2021 Senate Bill 627

Date of enactment:
Date of publication*:

2021 WISCONSIN ACT

AN ACT to amend 786.37 (2); and to create 786.36 (1m) (c) of the statutes; **relating to:** allowing a parent to change a minor child's name when the other parent is convicted of certain homicide or sex offenses.

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

SECTION 1. 786.36 (1m) (c) of the statutes is created to read:

786.36 (1m) (c) Notwithstanding pars. (a) and (b), the name of a minor under 14 years of age who has 2 living parents may be changed on the petition of one parent without notice to the nonpetitioning parent and regardless of whether the nonpetitioning parent appears at the hearing on the petition if the nonpetitioning parent has been convicted of a violation of any of the following state laws or the law of another jurisdiction that would be a violation of any of the following state laws if the person had committed the offense in this state and been convicted of the offense under the laws of this state:

1. First-degree intentional homicide under s. 940.01.
2. First-degree reckless homicide under s. 940.02.
3. Felony murder under s. 940.03.
4. Second-degree intentional homicide under s. 940.05.
5. Second-degree reckless homicide under s. 940.06.
6. Assisting suicide under s. 940.12.
7. Sexual exploitation by a therapist under s. 940.22 (2).
8. Felony sexual assault under s. 940.225 (1), (2), or (3).

9. Trafficking under s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.
10. Sexual assault of a child under s. 948.02 (1) or (2).
11. Engaging in repeated acts of sexual assault of the same child under s. 948.025.
12. Sexual exploitation of a child under s. 948.05.
13. Trafficking of a child under s. 948.051.
14. Causing a child to view or listen to sexual activity under s. 948.055.
15. Incest with a child under s. 948.06.
16. Child enticement under s. 948.07.
17. Use of a computer to facilitate a child sex crime under s. 948.075.
18. Soliciting a child for prostitution under s. 948.08.
19. Patronizing a child under s. 948.081.
20. Sexual assault of a child placed in substitute care under s. 948.085.
21. Sexual assault of a child by a school staff person or a person who works or volunteers with children under s. 948.095.
22. Felony exposing genitals, pubic area, or intimate parts under s. 948.10 (1) (a).
23. Felony exposing a child to harmful material or harmful descriptions or narrations under s. 948.11 (2) (a) or (am).

* 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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- 24. Possession of child pornography under s. 948.12.
- 25. Child sex offender working with children under s. 948.13 (2).

SECTION 2. 786.37 (2) of the statutes is amended to read:

786.37 (2) If the petition is for the name change of a minor under 14 years of age who has 2 living parents and

if the petition is being made by one parent of the minor, the petitioner shall, in addition to publishing the notice under sub. (1), serve a copy of the notice and petition on the nonpetitioning parent in the same manner as a summons is served under s. 801.11 (1). This subsection does not apply to a petition for the name change of a minor under 14 years of age made under s. 786.36 (1m) (c).
