

State of Wisconsin



2021 Senate Bill 199

Date of enactment:
Date of publication*:

2021 WISCONSIN ACT

AN ACT *to create* 940.225 (2) (k) and 940.225 (5) (aj) of the statutes; **relating to:** sexual contact by a law enforcement officer with a person in detainment or custody and providing a penalty.

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

SECTION 1. 940.225 (2) (k) of the statutes is created to read:

940.225 (2) (k) Is a law enforcement officer and has sexual contact or sexual intercourse with any person who is detained by any law enforcement officer, as provided under s. 968.24, or is in the custody of any law enforce-

ment officer. This paragraph applies whether the custody is lawful or unlawful and whether the detainment or custody is actual or constructive. Consent is not an issue in an action under this paragraph.

SECTION 2. 940.225 (5) (aj) of the statutes is created to read:

940.225 (5) (aj) "Law enforcement officer" has the meaning designated in s. 165.85 (2) (c).

* 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."