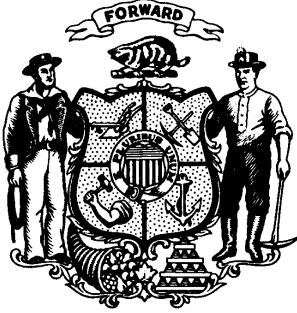


State of Wisconsin



2025 Assembly Bill 201

Date of enactment:
Date of publication*:

2025 WISCONSIN ACT

AN ACT *to amend* 48.685 (1) (c) 2., 48.686 (1) (c) 1., 51.20 (13) (ct) 1m. a., 51.20 (13) (ct) 1m. b., 115.31 (2g) (c) 1., 115.31 (2r) (c) 3., 301.45 (1p) (b), 901.08 (1) (b), 938.34 (15m) (am) 1., 938.34 (15m) (am) 2., 938.345 (3) (d), 946.82 (4), 949.03 (2), 949.05 (intro.), 949.06 (1m) (b), 949.08 (2) (a), 968.26 (1b) (a) 2. a., 971.17 (1m) (b) 1m. a., 971.17 (1m) (b) 1m. b., 972.11 (2) (b) (intro.), 972.11 (2) (d) 1. (intro.), 973.048 (1m) (a), 973.048 (1m) (b) and 995.50 (2) (am) 4.; **to create** 62.50 (1e) (cm), 942.095 and 949.03 (1s) of the statutes; **relating to:** extortion, sexual extortion, and providing a penalty.

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

SECTION 1. 48.685 (1) (c) 2. of the statutes, as affected by 2025 Wisconsin Act 24, is amended to read:

48.685 (1) (c) 2. A violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.22 (2) or (3), 940.225 (1), (2), or (3), 940.285 (2), 940.29, 940.295, 940.60 (2) or (3) (a), (b), or (c), 940.66 (2), 942.09 (2), 942.095, 948.02 (1) or (2), 948.025, 948.03 (2) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.085, 948.11 (2) (a) or (am), 948.12, 948.125, 948.13, 948.21, 948.215, 948.30, or 948.53 or s. 940.19 (2), 2023 stats., s. 940.19 (4), 2023 stats., s. 940.19 (5), 2023 stats., s. 940.19 (6), 2023 stats., or s. 940.198 (2), 2023 stats.

SECTION 2. 48.686 (1) (c) 1. of the statutes is amended to read:

48.686 (1) (c) 1. A violation of s. 940.12, 940.22 (2) or (3), 940.285 (2), 940.29, 940.295, ~~or~~ 942.09 (2), or 942.095.

SECTION 3. 51.20 (13) (ct) 1m. a. of the statutes is amended to read:

51.20 (13) (ct) 1m. a. Except as provided in subd.

2m., if the subject individual is before the court on a petition filed under a court order under s. 938.30 (5) (c) 1. and is found to have committed any violation, or to have solicited, conspired, or attempted to commit any violation, of ch. 940, 944, or 948 or s. 942.08 ~~or~~ 942.09, or 942.095, or ss. 943.01 to 943.15, the court may require the subject individual to comply with the reporting requirements under s. 301.45 if the court determines that the underlying conduct was sexually motivated, as defined in s. 980.01 (5), and that it would be in the interest of public protection to have the subject individual report under s. 301.45.

SECTION 4. 51.20 (13) (ct) 1m. b. of the statutes is amended to read:

51.20 (13) (ct) 1m. b. If a court under subd. 1m. a. orders a person to comply with the reporting requirements under s. 301.45 in connection with the commission of a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09 or 942.095, the court may provide that the person be released from the requirement to comply with the reporting requirements under s. 301.45 upon satisfying conditions specified by the court. If the person satisfies the conditions, 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."

court shall notify the department of corrections that the person has satisfied the conditions.

SECTION 5. 62.50 (1e) (cm) of the statutes is created to read:

62.50 (1e) (cm) Section 942.095.

SECTION 6. 115.31 (2g) (c) 1. of the statutes is amended to read:

115.31 (2g) (c) 1. A violation of s. 942.08, 942.09 (2), 942.095, 948.098, 948.10, or 948.11 (2) (a).

SECTION 7. 115.31 (2r) (c) 3. of the statutes is amended to read:

115.31 (2r) (c) 3. A conviction for a violation of s. 942.09 (2) or 942.095 if the person depicted in the representation is a child.

SECTION 8. 301.45 (1p) (b) of the statutes is amended to read:

301.45 (1p) (b) If a person is covered under sub. (1g) based solely on an order that was entered under s. 51.20 (13) (ct) 1m., 938.34 (15m) (am), 938.345 (3) (a), 971.17 (1m) (b) 1m., or 973.048 (1m) in connection with a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09 or 942.095, and the court provided in the order that the person be released from the requirement to comply with the reporting requirements under this section upon satisfying the conditions of the court order under s. 51.20 (13) (ct) 1m. or the dispositional order under subch. VI of ch. 938, upon the termination or expiration of a commitment order under s. 971.17, or upon successful completion of the sentence or probation as provided under s. 973.048 (1m) (b), whichever is applicable, and the person satisfies the conditions of the court order under s. 51.20 (13) (ct) 1m. or the dispositional order under subch. VI of ch. 938, the commitment order under s. 971.17 is terminated or expires, or the person successfully completes the sentence or probation, whichever is applicable, the person is no longer required to comply with the reporting requirements under this section.

SECTION 9. 901.08 (1) (b) of the statutes is amended to read:

901.08 (1) (b) "Sexual misconduct" includes a violation of s. 940.22 (2), 940.225 (1), (2), or (3), 940.32, 942.08, 942.09, 942.095, 948.02, 948.025, 948.05 (1) or (1m), 948.055 (1), 948.06, 948.07, 948.075, 948.08, 948.081, 948.09, 948.095, 948.10, or 948.11 (2) and includes sexual harassment, as defined in s. 111.32 (13).

SECTION 10. 938.34 (15m) (am) 1. of the statutes is amended to read:

938.34 (15m) (am) 1. Except as provided in par. (bm), if the juvenile is adjudicated delinquent on the basis of any violation, or the solicitation, conspiracy, or attempt to commit any violation, under ch. 940, 944, or 948 or s. 942.08 ~~or~~ 942.09, or 942.095, or ss. 943.01 to

943.15, the court may require the juvenile to comply with the reporting requirements under s. 301.45 if the court determines that the underlying conduct was sexually motivated, as defined in s. 980.01 (5), and that it would be in the interest of public protection to have the juvenile report under s. 301.45.

SECTION 11. 938.34 (15m) (am) 2. of the statutes is amended to read:

938.34 (15m) (am) 2. If the court under subd. 1. orders the juvenile to comply with the reporting requirements under s. 301.45 in connection with a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09 or 942.095, the court may provide that the juvenile be released from the requirement to comply with the reporting requirements under s. 301.45 upon satisfying the conditions of the dispositional order imposed for the offense. If the juvenile satisfies the conditions of the dispositional order, the court shall notify the department of corrections that the juvenile has satisfied the conditions of the dispositional order.

SECTION 12. 938.345 (3) (d) of the statutes is amended to read:

938.345 (3) (d) If the court under par. (a) orders the juvenile to comply with the reporting requirements under s. 301.45 in connection with a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09 or 942.095, the court may provide that the juvenile be released from the requirement to comply with the reporting requirements under s. 301.45 upon satisfying the conditions of the dispositional order imposed for the offense. If the juvenile satisfies the conditions of the dispositional order, the clerk of the court shall notify the department of corrections and the department of children and families that the juvenile has satisfied the conditions of the dispositional order.

SECTION 14. 942.095 of the statutes is created to read:

942.095 Sexual extortion. (1) In this section:

(a) "Intimate representation" has the meaning given in s. 942.09 (1) (ag).

(b) "Sexual conduct" has the meaning given in s. 944.21 (2) (e).

(2) Except as provided in subs. (3) to (5), whoever does any of the following is guilty of a Class I felony:

(a) Threatens to injure the property or reputation of another person with the intent to coerce that person to engage in sexual conduct or to produce an intimate representation of that person.

(b) Threatens to commit violence against another person with the intent to coerce that person to engage in sexual conduct or to produce an intimate representation of that person.

(c) Threatens to distribute an intimate representa-

tion of another person with the intent to coerce that person to engage in sexual conduct, to produce another intimate representation of that person, to provide the payment of money, property, services, or any other thing of value to the actor, or to do or refrain from doing any act against that person's will.

(3) Whoever violates sub. (2) is guilty of a Class H felony if any of the following applies:

(a) The victim, as a result of the violation, engages in sexual conduct.

(b) The victim, as a result of the violation, produces an intimate representation.

(c) The victim, as a result of the violation, provides the payment of money, property, services, or any other thing of value to the actor.

(d) The victim, as a result of the violation, suffers great bodily harm.

(e) If the victim is under the age of 18 years at the time of the violation, the actor is not more than 48 months older than the victim.

(4) Whoever violates sub. (2) is guilty of a Class G felony if any of the following applies:

(a) The actor was previously convicted of a sexually violent offense, as defined in s. 980.01 (6).

(b) If the victim is under the age of 18 years at the time of the violation, the actor is more than 48 months older than the victim.

(c) The violation was committed during the course of a child abduction in violation of s. 948.30.

(5) Whoever violates sub. (2) is guilty of a Class B felony if the victim, as a direct result of the violation, dies.

SECTION 15. 946.82 (4) of the statutes, as affected by 2025 Wisconsin Act 24, is amended to read:

946.82 (4) "Racketeering activity" means any activity specified in 18 USC 1961 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission of any of the felonies specified in: chs. 945 and 961, subch. V of ch. 551, and ss. 49.49, 134.05, 139.44 (1), (2m), and (8), 180.0129, 181.0129, 185.825, 201.09 (2), 215.12, 221.0625, 221.0636, 221.0637, 221.1004, 553.41 (3) and (4), 553.52 (2), 940.01, 940.21, 940.30, 940.302 (2), 940.305, 940.31, 940.60 (3), 940.61, 940.62, 941.20 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 942.09, 942.095, 943.01 (2), (2d), or (2g), 943.011, 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (bf) to (e), 943.201, 943.203, 943.23 (2) and (3), 943.231 (1), 943.24 (2), 943.27, 943.28, 943.30, 943.32, 943.34 (1) (bf), (bm), and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4) (bf), (bm), and (c) and (4m), 943.60, 943.70, 943.76, 943.81, 943.82, 943.825, 943.83, 943.84, 943.85, 943.86, 943.87, 943.88, 943.89,

943.90, 944.21 (5) (c) and (e), 944.32, 944.34, 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 946.79, 947.015, 947.016 (1) or (2), 948.05, 948.051, 948.08, 948.12, 948.125, and 948.30 and s. 940.19 (4), 2023 stats., s. 940.19 (5), 2023 stats., s. 940.19 (6), 2023 stats., s. 940.20, 2023 stats., s. 940.201, 2023 stats., and s. 940.203, 2023 stats.

SECTION 16. 949.03 (1s) of the statutes is created to read:

949.03 (1s) Suicide or attempted suicide of a victim if the crime was a substantial causal factor in the victim's suicide or attempted suicide.

SECTION 17. 949.03 (2) of the statutes, as affected by 2025 Wisconsin Act 24, is amended to read:

949.03 (2) The commission or the attempt to commit any crime specified in s. 346.62 (4), 346.63 (2) or (6), 940.01, 940.02, 940.03, 940.05, 940.06, 940.07, 940.08, 940.09, 940.10, 940.21, 940.22 (2), 940.225, 940.23, 940.235, 940.24, 940.25, 940.285, 940.29, 940.30, 940.302 (2), 940.305, 940.31, 940.32, 940.60, 940.61, 940.62, 940.66, 941.327, 942.09, 942.095, 943.02, 943.03, 943.04, 943.10, 943.20, 943.231 (1), 943.30, 943.31, 943.32, 943.81, 943.86, 943.87, 947.016 (1), (2), or (3), 948.02, 948.025, 948.03, 948.04, 948.05, 948.051, 948.06, 948.07, 948.075, 948.08, 948.085, 948.09, 948.095, 948.20, 948.21 (1), 948.30, or 948.51 or s. 940.19, 2023 stats., s. 940.198, 2023 stats., s. 940.20, 2023 stats., s. 940.201, 2023 stats., or s. 940.204, 2023 stats.

SECTION 18. 949.05 (intro.) of the statutes is amended to read:

949.05 Award; to whom payable. (intro.) In any case in which a person is injured or killed by an incident specified in s. 949.03 (1m) or (1s), by any act or omission of any other person that is within the description of crimes under s. 949.03 (2) or by any act or omission of any person that is within the description of the crime listed and the condition provided under s. 949.03 (4), the department may order the payment of an award:

SECTION 19. 949.06 (1m) (b) of the statutes is amended to read:

949.06 (1m) (b) In accordance with this subchapter, the department shall make awards, as appropriate, to persons who, immediately prior to the crime, lived in the same household with and to family members of a victim of s. 940.01, 940.02, 940.05, 940.06, 940.07, 940.08 ~~or~~, 940.09, or 942.095 (5), for any of the economic losses specified in sub. (1) as a result of the person's or family member's reaction to the death. A dependent may recover both under sub. (1) and this subsection, subject to the limitation under s. 949.08 (1m) (a).

SECTION 20. 949.08 (2) (a) of the statutes is amended to read:

949.08 (2) (a) Engaged in conduct which substantially contributed to the infliction of the victim's injury or death or in which the victim could have reasonably foreseen could lead to the injury or death. This does not apply to awards to victims under s. 949.03 (1m) or (1s).

SECTION 21. 968.26 (1b) (a) 2. a. of the statutes, as affected by 2025 Wisconsin Act 24, is amended to read:

968.26 (1b) (a) 2. a. Section 940.04, 940.11, 940.22 (2), 940.225 (3), 940.29, 940.302 (2) (c), 940.32, 940.60 (2) or (3), 940.61, 940.62, 940.65 (2) or (3), 940.66 (2) (b) or (c) or (3), 941.32, 941.38 (2), 942.09 (2), 942.095, 943.10, 943.205, 943.32 (1), 946.43, 946.44, 946.47, 946.48, 947.016, 948.02 (3), 948.03 (2) (b) or (c), (3), or (4), 948.04, 948.055, 948.095, 948.10 (1) (a), 948.11, 948.13 (2) (a), 948.14, 948.20, 948.23 (1), (2), or (3) (c) 2. or 3., or 948.30 (1) or s. 940.19 (2), 2023 stats., s. 940.19 (4), 2023 stats., s. 940.19 (5), 2023 stats., s. 940.19 (6), 2023 stats., s. 940.195 (2), 2023 stats., s. 940.195 (4), 2023 stats., s. 940.195 (5), 2023 stats., s. 940.195 (6), 2023 stats., s. 940.198 (2) (b), 2023 stats., s. 940.198 (2) (c), 2023 stats., s. 940.198 (3), 2023 stats., s. 940.20, 2023 stats., s. 940.201, 2023 stats., s. 940.203, 2023 stats., s. 940.204, 2023 stats., s. 940.205, 2023 stats., s. 940.207, 2023 stats., or s. 940.208, 2023 stats.

SECTION 22. 971.17 (1m) (b) 1m. a. of the statutes is amended to read:

971.17 (1m) (b) 1m. a. Except as provided in subd. 2m., if the defendant under sub. (1) is found not guilty by reason of mental disease or defect for any violation, or for the solicitation, conspiracy, or attempt to commit any violation, of ch. 940, 944, or 948 or s. 942.08 ~~or~~, 942.09, or 942.095, or ss. 943.01 to 943.15, the court may require the defendant to comply with the reporting requirements under s. 301.45 if the court determines that the underlying conduct was sexually motivated, as defined in s. 980.01 (5), and that it would be in the interest of public protection to have the defendant report under s. 301.45.

SECTION 23. 971.17 (1m) (b) 1m. b. of the statutes is amended to read:

971.17 (1m) (b) 1m. b. If a court under subd. 1m. a. orders a person to comply with the reporting requirements under s. 301.45 in connection with a finding of not guilty by reason of mental disease or defect for a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09 or 942.095 and the person was under the age of 21 when he or she committed the offense, the court may provide that upon termination of the commitment order under sub. (5) or expiration of the order under sub. (6) the person be released from the

requirement to comply with the reporting requirements under s. 301.45.

SECTION 24. 972.11 (2) (b) (intro.) of the statutes is amended to read:

972.11 (2) (b) (intro.) If the defendant is accused of a crime under s. 940.225, 942.09, 942.095, 948.02, 948.025, 948.05, 948.051, 948.06, 948.07, 948.08, 948.085, 948.09, or 948.095, or under s. 940.302 (2), if the court finds that the crime was sexually motivated, as defined in s. 980.01 (5), any evidence concerning the complaining witness's prior sexual conduct or opinions of the witness's prior sexual conduct and reputation as to prior sexual conduct shall not be admitted into evidence during the course of the hearing or trial, nor shall any reference to such conduct be made in the presence of the jury, except the following, subject to s. 971.31 (11):

SECTION 25. 972.11 (2) (d) 1. (intro.) of the statutes is amended to read:

972.11 (2) (d) 1. (intro.) If the defendant is accused of a crime under s. 940.225, 942.09, 942.095, 948.02, 948.025, 948.05, 948.06, 948.085, or 948.095, evidence of the manner of dress of the complaining witness at the time when the crime occurred is admissible only if it is relevant to a contested issue at trial and its probative value substantially outweighs all of the following:

SECTION 26. 973.048 (1m) (a) of the statutes is amended to read:

973.048 (1m) (a) Except as provided in sub. (2m), if a court imposes a sentence or places a person on probation for any violation, or for the solicitation, conspiracy, or attempt to commit any violation, under ch. 940, 944, or 948 or s. 942.08 ~~or~~, 942.09, or 942.095, or ss. 943.01 to 943.15, the court may require the person to comply with the reporting requirements under s. 301.45 if the court determines that the underlying conduct was sexually motivated, as defined in s. 980.01 (5), and that it would be in the interest of public protection to have the person report under s. 301.45.

SECTION 27. 973.048 (1m) (b) of the statutes is amended to read:

973.048 (1m) (b) If a court under par. (a) orders a person to comply with the reporting requirements under s. 301.45 in connection with a violation, or the solicitation, conspiracy, or attempt to commit a violation, of s. 942.09 or 942.095 and the person was under the age of 21 when he or she committed the offense, the court may provide that the person be released from the requirement to comply with the reporting requirements under s. 301.45 upon successfully completing the sentence or probation imposed for the offense. A person successfully completes a sentence if he or she is not convicted of a subsequent offense during the term of the sentence.

A person successfully completes probation if probation is not revoked and the person satisfies the conditions of probation.

SECTION 28. 995.50 (2) (am) 4. of the statutes is amended to read:

995.50 (2) (am) 4. Conduct that is prohibited under s. 942.09 or 942.095, regardless of whether there has been a criminal action related to the conduct, and regardless of the outcome of the criminal action, if there has been a criminal action related to the conduct.
