



2023 SENATE BILL 477

September 29, 2023 - Introduced by Senators KAPENGA, BALLWEG and STROEBEL, cosponsored by Representatives DUCHOW, BEHNKE, BINSFELD, DITTRICH, GOEBEN, GREEN, GUNDRUM, MAXEY, MICHALSKI, RETTINGER, ROZAR, SORTWELL, SCHRAA, TUSLER and WICHGERS. Referred to Committee on Mental Health, Substance Abuse Prevention, Children and Families.

AUTHORS SUBJECT TO CHANGE

- 1 **AN ACT to create** 948.105 of the statutes; **relating to:** attendance of children at
2 public events with groups of nude adults and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill prohibits a person from causing a person who is under the age of 18 to attend an event at which a group of adult participants intentionally expose their genitals, buttocks, or other intimate parts in a public area. The bill also prohibits taking a picture or other representation of a child at such an event if the representation depicts the child's intentionally exposed genitals, buttocks, or other intimate parts. The bill provides an exception to the second prohibition for a person who takes the picture or other representation with the intention to report to law enforcement a violation that is created under the bill as long as the person reports the violation within 24 hours of taking the picture or representation.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

- 3 **SECTION 1.** 948.105 of the statutes is created to read:
4 **948.105 Exposing intimate parts to a child at nude public gathering.**
5 **(1)** Whoever intentionally causes a child to attend an event at which a group of

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1 participants over the age of 18 intentionally expose their intimate parts in a public
2 area is guilty of a Class A misdemeanor.

3 (2) Whoever intentionally captures a representation, as defined in s. 942.09 (1)
4 (c), of a child attending an event at which a group of participants over the age of 18
5 intentionally expose their intimate parts in a public area is guilty of a Class A
6 misdemeanor if the representation depicts the child's intentionally exposed intimate
7 parts.

8 (3) (a) This section does not apply to a mother who is breast-feeding a child.

9 (b) Subsection (2) does not apply to a person who intentionally captures a
10 representation with the intention of reporting a violation of this section to law
11 enforcement if the person reports the violation to law enforcement within 24 hours
12 of capturing the representation.

13 (END)