



2023 SENATE BILL 321

June 7, 2023 - Introduced by Senators JAMES, HUTTON, TOMCZYK and WANGGAARD, cosponsored by Representatives GOEBEN, BODDEN, BEHNKE, BRANDTJEN, DITTRICH, GUNDRUM, GUSTAFSON, HURD, S. JOHNSON, MACCO, MAXEY, MICHALSKI, MURPHY, MURSAU, MYERS, NEDWESKI, O'CONNOR, RETTINGER, ROZAR, SCHRAA, SNYDER, SORTWELL, STUBBS, SUBECK, TITTL and WICHGERS. Referred to Committee on Judiciary and Public Safety.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to create* 944.19 of the statutes; **relating to:** child sex dolls and
2 providing a penalty.

Analysis by the Legislative Reference Bureau

This bill makes it a crime to intentionally possess a “child sex doll,” which is defined under the bill to be an anatomically correct doll, mannequin, or robot, with features that resemble a minor that is intended for use in sex acts, for sexual gratification, or for manipulating children into participating in sex acts, instructing children how to participate in sex acts, or normalizing sexual behavior with children. The penalties for the crime vary depending on whether the violation is a repeat offense, how many such dolls are possessed, and past convictions for other crimes against children. For a first offense involving fewer than three dolls, it is a Class I felony; for a second offense or for a first offense involving at least three dolls, it is a Class H felony; and for a third or subsequent offense, it is a Class G felony. If the doll is intended to resemble a specific minor, then the possession of it is a Class E felony for a first offense and a Class D felony for a repeat offense. The bill provides that the felony classification for any of the above offenses increases by one classification if the person has a prior conviction for intentional physical abuse of a child, first-degree sexual assault of a child, sexual exploitation of a child, use of a computer to facilitate a child sex crime, or possession of child pornography.

The bill also prohibits intentionally selling, transferring, advertising, displaying, or providing premises for the use of a child sex doll. For a first offense, it is a Class I felony; for a second offense, it is a Class H felony; and for a third or subsequent offense, it is a Class G felony. The bill prohibits intentionally selling,

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transferring, advertising, or displaying instructions on how to create a child sex doll or materials intended to create a child sex doll. For a first offense, it is a Class F felony, and for a repeat offense, it is a Class E felony. Similarly, the bill prohibits intentionally manufacturing a child sex doll. For a first offense, it is a Class F felony, and for a repeat offense, it is a Class E felony, except that, if the doll being manufactured is intended to resemble a specific minor, then it is a Class E felony for a first offense and a Class D felony for a repeat offense. The bill provides that the felony classification for any of the above offenses increases by one classification if the person has a prior conviction for intentional physical abuse of a child, first-degree sexual assault of a child, sexual exploitation of a child, use of a computer to facilitate a child sex crime, or possession of child pornography.

The bill exempts from the created prohibitions law enforcement officers, physicians, psychologists, attorneys, court officers, and others involved in law enforcement or child therapy if the actions are taken in the lawful performance of their duty.

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:

1 **SECTION 1.** 944.19 of the statutes is created to read:

2 **944.19 Prohibiting child sex dolls.** (1) In this section, “child sex doll” means
3 an anatomically correct doll, mannequin, or robot, with features that are intended
4 to resemble a minor that is intended for use in sex acts, for sexual gratification, or
5 for the purpose of manipulating children into participating in sex acts, instructing
6 children how to participate in sexual acts, or normalizing sexual behavior with
7 children.

8 **(2)** (a) No person may intentionally possess a child sex doll. A person who
9 violates this paragraph is guilty of the following:

- 10 1. For a first offense involving fewer than 3 child sex dolls, a Class I felony.
11 2. For a 2nd offense or for an offense involving at least 3 child sex dolls, a Class
12 H felony.

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1 3. For a 3rd or subsequent offense, a Class G felony.

2 4. For a first offense involving a child sex doll that is intended to resemble a
3 specific minor, a Class E felony.

4 5. For a 2nd or subsequent offense involving a child sex doll that is intended
5 to resemble a specific minor, a Class D felony.

6 (b) No person may intentionally sell, transfer possession of, advertise, display,
7 or provide premises for the use of, or offer to sell, transfer possession of, advertise,
8 display, or provide premises for the use of, a child sex doll. A person who violates this
9 paragraph is guilty of the following:

10 1. For a first offense, a Class I felony.

11 2. For a 2nd offense, a Class H felony.

12 3. For a 3rd or subsequent offense, a Class G felony.

13 (c) No person may intentionally sell, transfer possession of, advertise, or
14 display, or offer to sell, transfer possession of, advertise, or display, instructions on
15 how to create a child sex doll or materials intended to create a child sex doll. A person
16 who violates this paragraph is guilty of the following:

17 1. For a first offense, a Class F felony.

18 2. For a 2nd or subsequent offense, a Class E felony.

19 (d) No person may intentionally manufacture a child sex doll. A person who
20 violates this paragraph is guilty of the following:

21 1. For a first offense, a Class F felony.

22 2. For a 2nd or subsequent offense, a Class E felony.

23 3. For a first offense involving a child sex doll that is intended to resemble a
24 specific minor, a Class E felony.

