State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-2243/1
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2025 SENATE BILL 146

March 21, 2025 - Introduced by Senators WANGGAARD, JACQUE, FEYEN and NASS, cosponsored by Representatives GOEBEN, B. JACOBSON, PENTERMAN, KREIBICH, DITTRICH, ALLEN, KNODL, WICHGERS, MURPHY, BRILL, MURSAU and BEHNKE. Referred to Committee on Judiciary and Public Safety.

AUTHORS SUBJECT TO CHANGE

AN ACT ***to amend*** 69.11 (4) (b), 69.12 (1), 69.15 (4) (b), 767.395 and 786.36 (1) (intro.); ***to create*** 941.2915 of the statutes; **relating to:** prohibiting persons who have been convicted of a violent crime from changing their name and providing a penalty.

Analysis by the Legislative Reference Bureau

Current law prohibits a person who is registered as a sex offender with the Department of Corrections from changing their name during the period they are required to register. With certain exceptions, a person who violates the prohibition is guilty of a Class H felony.

This bill prohibits a person who has been convicted of a violent crime, which is defined in the bill and includes homicide, battery, kidnapping, stalking, human trafficking, and sexual assault, from changing their name. A person who violates the prohibition is guilty of a Class H felony.

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:

SECTION 1. 69.11 (4) (b) of the statutes is amended to read:

69.11 **(4)** (b) The state registrar may amend an item on a birth record that affects information about the name, sex, date of birth, place of birth, parent's name, or marital status of the mother if 365 days have elapsed since the occurrence of the event that is the subject of the birth record, if the amendment is at the request of a person with a direct and tangible interest in the record and is in the manner prescribed by the state registrar, and if the amendment is accompanied by 2 items of documentary evidence from early childhood that are sufficient to prove that the item to be changed is in error and by the affidavit of the person requesting the amendment. A change in the marital status on the birth record may be made under this paragraph only if the marital status is inconsistent with information concerning the father or husband that appears on the birth record. This paragraph may not be used to add to or delete from a birth record the name of a parent, to change the identity of a parent named on the birth record, or to effect a name change prohibited under s. 301.47 or 941.2915 (2).

SECTION 2. 69.12 (1) of the statutes is amended to read:

69.12 **(1)** If the state registrar cannot make an amendment to a vital record under s. 69.11 and a person with a direct and tangible interest in the vital record alleges that information on the vital record does not represent the actual facts in effect at the time the record was filed, the person may petition the circuit court of the county in which the event which is the subject of the vital record is alleged to have occurred. The petition shall be accompanied by a certified copy of the original vital record. If the court finds that the petitioner has established the actual facts of the event in effect when the record was filed, the clerk of court shall report the

court's determination to the state registrar in the manner prescribed by the state registrar, along with the fee required under s. 69.22 (5) (a) 2. Upon receipt of the report, the state registrar shall, if information as to the cause of death on a death record is changed or if information on a marriage record concerning the identity of a parent of a party to a marriage is changed, act under sub. (4), or shall change the record under s. 69.11 (5) and if the record is not enabled in the state system of vital records, send the amended record to the local registrar who shall replace the record filed in his or her office. This subsection does not apply to a name change prohibited under s. 301.47 or 941.2915 (2).

SECTION 3. 69.15 (4) (b) of the statutes is amended to read:

69.15 **(4)** (b) Any person with a direct and tangible interest in a birth record registered in this state may petition a court to change the name and sex of the registrant on the record due to a surgical sex-change procedure. If the state registrar receives an order which provides for such a change the state registrar shall change the name and sex on the original record, except that if the court orders the state registrar to prepare a new record the state registrar shall prepare a new record under sub. (6). This subsection does not apply to a name change prohibited under s. 301.47 or 941.2915 (2).

SECTION 4. 767.395 of the statutes is amended to read:

767.395 Name of spouse. Except as provided in s. 301.47 or 941.2915 (2), the court, upon granting a divorce, shall allow either spouse, upon request, to resume a former legal surname, if any.

SECTION 5. 786.36 (1) (intro.) of the statutes is amended to read:

786.36 **(1)** (intro.) Except as provided in sub. (3) or s. 301.47 or 941.2915 (2),

any resident of this state, whether a minor or adult, upon petition to the circuit court of the county where he or she resides and upon filing a copy of the notice required under s. 786.37 (1), with proof of publication, may, if no sufficient cause is shown to the contrary, have his or her name changed or established by order of the court. Subject to sub. (1m), if the person whose name is to be changed is a minor under the age of 14 years, the petition may be made by whichever of the following is applicable:

SECTION 6. 941.2915 of the statutes is created to read:

941.2915 Name changes prohibited after conviction for a violent crime. (1) "Violent crime" has the meaning given in s. 969.001 (3) (a).

(2) No person who has been convicted of a violent crime may change their name. A person who violates this subsection is guilty of a Class H felony.

(3) A person may not be convicted of violating both sub. (2) and s. 301.47 for acts arising out of the same incident or occurrence.

(END)