

2001 DRAFTING REQUEST

Bill

Received: 12/19/2000

Received By: phurley

Wanted: As time permits

Identical to LRB:

For: John La Fave (608) 266-0486

By/Representing:

This file may be shown to any legislator: NO

Drafter: phurley

May Contact:

Alt. Drafters:

Subject: Transportation - driver licenses

Extra Copies: TNF

Pre Topic:

No specific pre topic given

Topic:

access to drivers license photographs (sunset date)

Instructions:

remove sunset date

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 01/04/2001	jdye 01/11/2001	martykr 01/15/2001	_____	lrb_docadmin 01/15/2001	lrb_docadminState 01/23/2001	

FE Sent For:

602-08-01

<END>

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1?	phurley	<i>1/11/00</i>	<i>[Signature]</i>	<i>[Signature]</i>			
			<i>1/15</i>	<i>[Signature]</i>			

FE Sent For:

<END>



JLD

2001 BILL

submitted
1-4-01

D-note

by 1-17-01

Gen

1 AN ACT ...; relating to: access by law enforcement agencies to photographs taken
2 for drivers' licenses and identification cards.

Analysis by the Legislative Reference Bureau

Under current law, the department of transportation (DOT) maintains copies of all photographs taken, on or after September 1, 1997, by DOT for drivers' licenses and identification cards. DOT is required to keep the photographs confidential except that DOT may release a photograph to a law enforcement agency of this state or of an adjacent state for any of the following purposes: 1) to investigate unlawful activity; 2) to investigate a missing person; 3) to identify an accident victim; or 4) to identify a missing person. DOT may not release any photograph taken for a driver's license or identification card to a law enforcement agency after December 31, 2002.

This bill removes that sunset provision.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 SECTION 1. 343.237 (9) of the statutes is amended to read:

4 343.237 (9) Not later than August 1, 1998, and annually thereafter until
5 August 1, 2003, the department of transportation and the department of justice

BILL

1 jointly shall submit a report to the chief clerk of each house of the legislature for
2 distribution to the legislature under s. 13.172 (2) concerning the copies of
3 photographs provided under this section, including the agencies to whom and the
4 purposes for which the copies of the photographs were provided. The department of
5 transportation and the department of justice shall consult with other interested
6 persons when preparing a report under this subsection.

History: 1997 a. 119, 237.

7 **SECTION 2.** 343.237 (11) [✓] of the statutes is repealed.

8

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1566/1dn

PJH...
Jld

Please review this draft carefully to ensure that it is consistent with your intent.

Please note that s. 343.237 (9) currently requires the department of transportation to make an annual report, until August 1, 2003, to each house of the legislature concerning the distribution of photographs to law enforcement agencies. This draft simply removes that sunset date; please let me know if you want to eliminate the reporting requirement entirely.

Peggy Hurley
Legislative Attorney
Phone: (608) 266-8906
E-mail: peggy.hurley@legis.statc.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1566/1dn
PJH:jld:km

January 15, 2001

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State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

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LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

January 15, 2001

MEMORANDUM

To: Representative La Fave

From: Peggy J. Hurley, Legislative Attorney

Re: LRB-1566 access to drivers license photographs (sunset date)

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-8906 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.