

State of Misconsin 2011 – 2012 LEGISLATURE



(1)

2011 SENATE BILL 399

AN ACT *to repeal* 908.07 and 970.03 (11); and *to create* 970.038 of the statutes; 1 2 **relating to:** the admissibility of hearsay evidence at a preliminary examination. 3

Analysis by the Legislative Reference Bureau

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

4 **SECTION 1.** 908.07 of the statutes is repealed. 5 **SECTION 2.** 970.03 (11) of the statutes is repealed. **SECTION 3.** 970.038 of the statutes is created to read: 6 7 970.038 Preliminary examination; hearsay exception. Notwithstanding s. 908.02, hearsay is admissible in a preliminary examination 8 under ss. 970.03, 970.032, and 970.035. 9

2011 – 2012 Legislature	- 2 -	LRB–2870/en SRM:med:
SENATE BILL 399		SECTION 3
(2) A court may base it	s finding of probable caus	e under s. 970.03 (7) or (8),

2 970.032 (2), or 970.035 in whole or in part on hearsay admitted under sub. (1).

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(END)