

State of Wisconsin



2015 Senate Bill 170

Date of enactment: **December 16, 2015**
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2015 WISCONSIN ACT 121

AN ACT *to amend* 939.74 (2d) (c); and *to create* 939.74 (2) (ar) of the statutes; **relating to:** statute of limitations for second-degree or third-degree sexual assault.

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

SECTION 1. 939.74 (2) (ar) of the statutes is created to read:

939.74 (2) (ar) A prosecution for a violation of s. 940.225 (2) or (3) may be commenced within 10 years after the commission of the violation.

SECTION 2. 939.74 (2d) (c) of the statutes is amended to read:

939.74 (2d) (c) If, before the applicable time limitation under sub. (1) or (2) (am), (ar), (c), or (cm) for commencing prosecution of a felony under ch. 940 or 948, other than a felony specified in sub. (2) (a), expires, the state collects biological material that is evidence of the identity of the person who committed the felony, identi-

fies a deoxyribonucleic acid profile from the biological material, and compares the deoxyribonucleic acid profile to deoxyribonucleic acid profiles of known persons, the state may commence prosecution of the person who is the source of the biological material for the felony or a crime that is related to the felony or both within 12 months after comparison of the deoxyribonucleic acid profile relating to the felony results in a probable identification of the person or within the applicable time under sub. (1) or (2), whichever is latest.

SECTION 3. Initial applicability.

(1) Notwithstanding section 990.06 of the statutes, this act first applies to an act for which the time limit under section 939.74 (1) of the statutes for prosecution has not expired as of the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."