



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa1577/1
MED&CMH:amn

**ASSEMBLY AMENDMENT 3,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 351**

November 9, 2017 - Offered by Representative C. TAYLOR.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 4, line 2: delete “par. (c)” and substitute “pars. (bm) and (c)”.

3 **2.** Page 4, line 2: after that line insert:

4 “(bm) 1. If a law enforcement agency has otherwise decided under s. 19.35 to
5 permit access to data from a body camera that is subject to disclosure under par. (b),
6 the data record a location where an individual may have a reasonable expectation
7 of privacy, and the data are not covered by par. (c) 3m., the law enforcement agency
8 shall, before permitting access and subject to par. (cg), serve notice of the request for
9 the data on each individual who is a known victim or witness or an owner, or a person
10 authorized by each such individual as described under s. 19.32 (1m), either by mail
11 or by personally serving the notice. The notice may be mailed to the individual’s or
12 person’s last-known address if his or her current address is not known. The notice

1 shall briefly describe the requested data and include a description of the rights of the
2 individual or person to deny permission to the law enforcement agency to release the
3 data if the individual or person objects to the release of the data within 14 business
4 days after the law enforcement agency makes the request. The data recording the
5 location are confidential and not subject to the right of inspection and copying under
6 s. 19.35 (1) if an individual who is a known victim or witness or an owner, or a person
7 authorized by each such individual as described under s. 19.32 (1m), provides the law
8 enforcement agency with a written objection to the release of the data within 14
9 business days after the law enforcement agency makes the request. If no such
10 objection is received within 14 business days after the law enforcement agency
11 makes the request, the law enforcement agency shall provide access to the data.

12 2. If the law enforcement agency receives an objection to the release of data
13 under subd. 1. within 14 business days after the law enforcement agency makes the
14 request, the law enforcement agency shall deny the request, but any written
15 permission for the release received after that period shall be valid as to any
16 subsequent request for the same data.”.

17 **3.** Page 4, line 4: delete “(b)” and substitute “(b),”.

18 **4.** Page 4, line 5: delete “and”.

19 **5.** Page 4, line 6: after “privacy,” insert “and this paragraph applies as provided
20 in subd. 3m.,”.

21 **6.** Page 4, line 7: delete “subd. 3.” and substitute “par. (cg)”.

22 **7.** Page 4, line 24: after that line insert:

23 “3m. This paragraph applies only with respect to data that record one of the
24 following:

- 1 a. An informant, as defined in s. 19.36 (8) (a) 1.
- 2 b. A minor.
- 3 c. A victim of a sensitive crime, including a victim of a crime that was an act
4 of domestic abuse, as defined in s. 813.12 (1) (am), or a victim of s. 940.225, 940.302,
5 948.02, 948.025, or 948.051.
- 6 d. A hospital, rape treatment center, or other health care facility or a facility
7 that provides services to victims of domestic violence.”.
- 8 **8.** Page 5, line 1: delete that line and substitute “(cg) After a law enforcement
9 agency makes a request for permission under par. (bm) 1. or (c)”.
- 10 **9.** Page 5, line 4: delete “4.” and substitute “(cr)”.
- 11 **10.** Page 5, line 5: delete “this paragraph” and substitute “par. (bm) or (c)”.
- 12 **11.** Page 5, line 14: delete that line and substitute “does not, within 14
13 business days after the law enforcement makes a request to release the data in the
14 manner prescribed under par. (bm) 1., object to the release of the data in writing,
15 except that if par. (c) 3m. applies to the data, the law enforcement agency may not
16 release the data unless each individual who is a known victim or witness or an owner,
17 or a person authorized by each such individual as described under s. 19.32 (1m),
18 provides the law enforcement agency with written permission for the release.”.

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(END)