



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0092/1  
MLJ:klm

## 2019 ASSEMBLY BILL 408

September 5, 2019 - Introduced by Representatives HEBL, ANDERSON, CROWLEY, EMERSON, KOLSTE, OHNSTAD, POPE, SINICKI, SPREITZER, SUBECK, C. TAYLOR, VRUWINK and BROSTOFF, cosponsored by Senators RINGHAND and MILLER. Referred to Committee on Judiciary.

1     **AN ACT** *to amend* 757.54 (1); and *to create* 757.54 (3) of the statutes; **relating**  
2     **to:** prohibiting destruction of records and evidence.

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***Analysis by the Legislative Reference Bureau***

This bill prohibits a circuit, municipal, or appeals court judge or a supreme court justice for whom a motion for recusal or for judicial substitution has been filed in an action or proceeding from ordering the destruction of evidence or court records of the action or proceeding.

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

3     **SECTION 1.** 757.54 (1) of the statutes is amended to read:

4     757.54 (1) Except as provided in ~~sub.~~ subs. (2) and (3), the retention and  
5     disposal of all court records and exhibits in any civil or criminal action or proceeding  
6     or probate proceeding of any nature in a court of record shall be determined by the  
7     supreme court by rule.

8     **SECTION 2.** 757.54 (3) of the statutes is created to read:

