ASSEMBLY AMENDMENT 1,

TO 2009 ASSEMBLY BILL 489

January 20, 2010 – Offered by COMMITTEE ON URBAN AND LOCAL AFFAIRS.

1   At the locations indicated, amend the bill as follows:

2   **1.** Page 1, line 2: delete "local government" and substitute "shared".

3   **2.** Page 2, line 1: before that line insert:

4   "**SECTION 1.** 16.964 (18) of the statutes is created to read:

5   16.964 **(18)** (a) In this subsection:

6   1. "Law enforcement agency" has the meaning given in s. 165.83 (1) (b) or (e).

7   2. "Law enforcement investigation information" means information that is

8   collected by the office under sub. (1m) consisting of arrest reports, incident reports,

9   and other information relating to persons suspected of committing crimes that was

10   created by a law enforcement agency and provided to the office by that agency for the

11   purpose of sharing with other law enforcement agencies and prosecutors.

12   (b) For purposes of requests for access to records under s. 19.35 (1), if the office

13   has custody of a record containing law enforcement investigation information, the

1   office and any other law enforcement agency with which the office shares the

2   information contained in the record are not the legal custodians of the record as it

3   relates to that information. For such purposes, the legal custodian of the record is

4   the law enforcement agency that provides the law enforcement investigation

5   information to the office. If the office or any other law enforcement agency receives

6   a request under s. 19.35 (1) for access to information in such a record, the office or

7   the other law enforcement agency shall deny any portion of the request that relates

8   to law enforcement investigation information.".

9   **3.** Page 2, line 1: delete "**SECTION 1**" and substitute "**SECTION 2**".

10   **(END)**