



**WISCONSIN LEGISLATIVE COUNCIL
ACT MEMO**

2009 Wisconsin Act 261 [2009 Senate Bill 631]	Submission of DNA Samples
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2009 Wisconsin Act 261 amends the statutes relating to the required submission of DNA samples.

Act 261 amends the statutes to provide for the following:

1. A requirement to provide a DNA sample does not expire when a person completes serving probation, a sentence, or a delinquency disposition or is released from a civil commitment.
2. Regardless of whether a person has already provided a DNA sample, if the Department of Justice does not have an analysis for an individual person required to make the submission, the department may require the person to provide another DNA sample.
3. In addition to those persons under current law who must submit a DNA sample (for example, felons and persons convicted of certain misdemeanors), Act 261 provides that a person found not guilty by reason of mental disease or defect, or in institutional care on or after January 1, 2000, for a felony or certain misdemeanors, must provide a DNA sample. Also, a person required to submit a DNA sample who has been found not to do so, must provide a DNA sample as a result of this judgment.

Effective date: The Act takes effect on May 22, 2010.

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May 20, 2010

RS:jal;ksm

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.