



WISCONSIN LEGISLATIVE COUNCIL

ACT MEMO

2009 Wisconsin Act 349 [2009 Senate Bill 524]	Disclosure of Electronic Communications
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2009 Wisconsin Act 349 sets forth a procedure for issuing subpoenas and warrants for records or communications of customers of an electronic communication service or a remote computing service provider. Among other provisions, the Act requires that an electronic communication service or a remote computing service provider must respond within a reasonable time, established by a judge, after being served with a subpoena or warrant. Act 349 also provides that a subpoena may be used to retrieve records or other information, including any of the following relating to a subscriber or customer:

1. Name.
2. Address.
3. Local and long distance telephone connection records, or records of session times and durations.
4. Length of service, including start date, and types of service utilized.
5. Telephone or instrument or other subscriber number or identity, including any temporarily assigned network address.
6. Means and source of payment for an electronic communications service or remote computing service, including any credit card or bank account number.

Finally, the Act allows a provider of these services to disclose customer records or communications without a warrant or subpoena upon customer consent or if the provider believes in good faith that an emergency involving death or serious physical injury exists and that disclosure is required to prevent death or mitigate injury.

Effective date: The Act took effect on May 28, 2010.

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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/>.