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## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

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<p><b>2017 Wisconsin Act 173</b> [2017 Senate Bill 541]</p>	<p><b>Administrative Subpoenas</b></p>
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### BACKGROUND

Generally, Wisconsin law authorizes the Attorney General (AG) or his or her designee to serve an administrative subpoena upon an electronic communication service or remote computing service (Internet service provider) to compel an Internet service provider to produce certain information. Specifically, the AG or his or her designee is authorized to serve an administrative subpoena upon an Internet service provider to compel the production of information about a customer or subscriber if both of the following apply:

- The information likely to be obtained is relevant to an ongoing investigation of an Internet crime against a child.
- The AG or his or her designee has reasonable cause to believe that an Internet or electronic service account provided by an electronic communication service or remote computing service has been used in the crime.

Wisconsin law requires that the subpoena describe each record or other information pertaining to a customer or subscriber of the service to be produced. The subpoena may be issued to compel the production of any of the following information about the customer or subscriber:

- Name.
- Address.
- Duration, including the start date and end date, of the assignment of any Internet protocol address to the customer or subscriber.

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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.wisconsin.gov>.

## **ACT 173**

### **Human Trafficking Crimes**

2017 Wisconsin Act 173 expands the process described above by including human trafficking crimes as violations for which an administrative subpoena may be served.

### **Hotels**

The Act allows the AG or his or her designee to serve an administrative subpoena upon a hotel. Under the Act, a "hotel" means all places wherein sleeping accommodations are offered for pay to transients, in five or more rooms, and all places used in connection therewith. An administrative subpoena may be served upon a hotel if all of the following apply:

- The information likely to be obtained is relevant to an ongoing investigation of a human trafficking crime or an Internet crime against a child.
- The AG or his or her designee has reasonable cause to believe that a room provided by a hotel has been used in the crime.

Under the Act, a subpoena may be issued to compel the production of any of the following information about the customer:

- Name.
- Address and telephone number of record.
- Duration, including the start date and end date, of the assignment of any room to the customer.

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*Prepared by:* Michael Queensland, Senior Staff Attorney

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