



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2009 Senate Bill 303**

**Senate Amendment 1**

*Memo published:* March 2, 2010

*Contact:* Ronald Sklansky, Senior Staff Attorney (266-1946)

Current law provides that if a person is the operator of a vehicle that is involved in an accident causing the death of, or great bodily harm to, any person, and a law enforcement officer detects any presence of alcohol or certain drugs, the law enforcement officer may request the operator to provide body samples for the purpose of determining intoxication.

Senate Bill 303 amends the statutes to provide that if a person operating a vehicle is involved in an accident causing injury, rather than death of, or great bodily harm to, any person, and the law enforcement officer detects the presence of alcohol or certain drugs, the law enforcement officer may request the operator to provide a body sample for testing. In addition, the bill provides that if the operator of a vehicle is involved in an accident causing the death of, or great bodily harm to, another person and the law enforcement officer has reason to believe that the person violated any state or local traffic law, the officer may request the provision of a body sample.

Senate Amendment 1 amends the bill to provide that a law enforcement officer may request a body sample from a vehicle operator when the officer detects the presence of alcohol or certain drugs following an accident that has caused substantial bodily harm, rather than an injury, to any person.

### **Legislative History**

On January 12, 2010, the Senate Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing introduced and adopted Senate Amendment 1 to Senate Bill 303 and recommended passage of the bill, as amended, both on votes of Ayes, 5; Noes, 0.

RS:jal