

No. 54, S.]

[Published August 3, 1951.]

CHAPTER 603.

AN ACT to renumber 363.03; and to create 363.03 (2) of the statutes, relating to search warrants.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 363.03 of the statutes is renumbered to be 363.03 (1).

SECTION 2. 363.03 (2) of the statutes is created to read:

363.03 (2) Upon application of an employe of the commissioner of taxation or the attorney-general to a court of record, a warrant may be issued to search for gambling devices, fermented malt beverages or intoxicating liquors believed to be concealed on premises located in the county where the warrant is issued, or in any county adjacent thereto, and shall command that the things seized and the person in possession of them be taken before a magistrate or court of the county wherein the property is seized or the person in possession of them is found. Such warrant shall be directed to the employes of the commissioner of taxation or the attorney-general, as the case may be, and shall be executed by them. Subject to such variations the warrant so directed shall be in substantially the same form as prescribed in section 363.05. The responsibility of the commissioner of taxation and the attorney-general for the default or misconduct of their employes when so acting shall be equal to but not greater than the responsibility of a sheriff for his deputies under section 59.22. The commissioner of taxation and the attorney-general may require of their employes so acting a bond in such sum and with such sureties as they may prescribe, conditioned upon the faithful performance of their duties in and about executing such warrants, and such bond shall have the same force, effect and purport as a bond required by a sheriff of his deputy under section 59.22 (2).

Approved July 13, 1951.