

2001 ASSEMBLY BILL 407

May 18, 2001 - Introduced by Representatives SCHNEIDER and ZIEGELBAUER.
Referred to Committee on Judiciary.

1 **AN ACT** *to renumber* 910.01 (1); *to amend* 910.01 (2); and *to create* 910.01 (1g)
2 and 910.025 of the statutes; **relating to:** admissibility of a digitally produced
3 photograph, film, audio, or video.

Analysis by the Legislative Reference Bureau

Under current law, if properly authenticated as being a true representation of the image in the photograph or motion picture, an original of a photograph or motion picture may be admitted in evidence to prove the content of the photograph or motion picture. This bill prohibits the introduction of a photograph, film, motion picture, audio, or video of a person, place, document, sound, or event to prove the content of the photograph, film, motion picture, audio or video if that photograph, film, motion picture, audio, or video is created or stored by data in the form of numerical digits. The prohibition under this bill does not apply to the use of such digital representations in actions to enforce a crime related to child pornography.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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

4 **SECTION 1.** 910.01 (1) of the statutes is renumbered 910.01 (1m).
5 **SECTION 2.** 910.01 (1g) of the statutes is created to read:

ASSEMBLY BILL 407

1 **910.01 (1g) DIGITAL REPRESENTATION.** “Digital representation” means any
2 recording or image of a person, place, document, sound, or event that is created or
3 stored by data in the form of numerical digits.

4 **SECTION 3.** 910.01 (2) of the statutes is amended to read:

5 **910.01 (2) PHOTOGRAPHS.** “Photographs” include still photographs, X-ray films,
6 ~~and motion pictures,~~ and digital representations.

7 **SECTION 4.** 910.025 of the statutes is created to read:

8 **910.025 Inadmissibility of a digital representation.** In any action or
9 proceeding, except an action under s. 948.05 or 948.12, a digital representation in the
10 form of a photograph, film, motion picture, audio, or video is not admissible for
11 purposes of proving the content of that digital representation.

12

(END)