## 2003 ASSE MBLY BILL 652

An ACT to create 950.04 (1v) (dL) and 968.265 of the statutes; relating to: lie detector tests of sexual assault victims.

## Anal ysis by the Legislative Reference Bureau

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

Section 1g. 950.04 (1v) (dL) of the statutes is created to read:
950.04 (1v) (dL) To not be the subject of a law enforcement officer's or district attorney's order, request, or suggestion that he or she submit to a test using a lie detector, as defined in s. 111.37 (1) (b), if he or she claims to have been the victim of a sexual assault under s. 940.22 (2), 940.225 , or 948.02 (1) or (2), except as permitted under s. 968.265.

Section 1r. 968.265 of the statutes is created to read:
968.265 Lie detector tests; sexual assault victims. (1) In this section, "lie detector" has the meaning given in s. 111.37 (1) (b).
(2) If a person reports to a law enforcement officer that he or she was the victim of an offense under s. 940.22 (2), 940.225 , or 948.02 (1) or (2), no law enforcement officer may in connection with the report order, request, or suggest that the person submit to a test using a lie detector, or provide the person information regarding tests using lie detectors unless the person requests information regarding tests using lie detectors.
(3) If a person reports to a district attorney that he or she was the victim of an offense under s. 940.22 (2), 940.225 , or 948.02 (1) or (2), no district attorney may do any of the following in connection with the report:
(a) Order that the person submit to a test using a lie detector.
(b) Suggest or request that the person submit to a test using a lie detector without first providing the person with notice and an explanation of his or her right not to submit to such a test.

