

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0675/1dn  
CTS:lmk&jld:ch

November 29, 2004

Representative Schneider:

This is a redraft of 2003 AB-587. As Robin Kite noted with respect to the prior version, federal law may preempt the draft's prohibition on encryption. Federal law intensively regulates the fields of broadcast media and copyright law. A court might conclude that this intensive regulation reflects Congress's intent to occupy the field, to the exclusion of state regulation. If you would like me to research this area in greater depth, please let me know.

Christopher T. Sundberg  
Legislative Attorney  
Phone: (608) 266-9739  
E-mail: [christopher.sundberg@legis.state.wi.us](mailto:christopher.sundberg@legis.state.wi.us)