

2005 ASSEMBLY BILL 971

1 **AN ACT** *to amend* 971.16 (4) of the statutes; **relating to:** deadline for
2 distributing a physician’s or psychologist’s report on a criminal defendant or a
3 person committed upon a finding of not guilty by reason of mental disease or
4 defect.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 971.16 (4) of the statutes is amended to read:
6 971.16 (4) If the defendant wishes to be examined by a physician, psychologist
7 or other expert of his or her own choice, the examiner shall be permitted to have
8 reasonable access to the defendant for the purposes of examination. No testimony
9 regarding the mental condition of the defendant shall be received from a physician,
10 psychologist or expert witness summoned by the defendant unless not less than 3 15

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1 days before trial a report of the examination has been transmitted to the district
2 attorney and unless the prosecution has been afforded an opportunity to examine
3 and observe the defendant if the opportunity has been seasonably demanded. The
4 state may summon a physician, psychologist or other expert to testify, but that
5 witness shall not give testimony unless not less than ~~3~~ 15 days before trial a written
6 report of his or her examination of the defendant has been transmitted to counsel for
7 the defendant.

8 (END)