# 2005 ASSEMBLY BILL 970

AN ACT *to renumber and amend* 904.04 (2); and *to create* 904.04 (2) (b) of the statutes; **relating to:** admitting evidence of other crimes in certain criminal proceedings.

### Analysis by the Legislative Reference Bureau

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

**SECTION 1.** 904.04 (2) of the statutes is renumbered 904.04 (2) (a) and amended to read:

4

5

6

7

8

9

10

11

904.04 (2) (a) Other crimes, wrongs, or acts. Evidence Except as provided in par. (b), evidence of other crimes, wrongs, or acts is not admissible to prove the character of a person in order to show that the person acted in conformity therewith. This subsection does not exclude the evidence when offered for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.

#### **ASSEMBLY BILL 970**

1

2

3

4

5

6

7

8

9

<b>SECTION 2.</b> $904.04(2)(0)$ of the statutes is created in	<b>2.</b> 904.04 (2) (b) of the statutes is created to read:
--	--

904.04 **(2)** (b) In a criminal proceeding alleging a violation of s. 940.225 (1) or 948.02 (1), sub. (1) and par. (a) do not prohibit admitting evidence that a person was convicted of a violation of s. 940.225 (1) or 948.02 (1) or a comparable offense in another jurisdiction, that is similar to the alleged violation, as evidence of the person's character in order to show that the person acted in conformity therewith.

## **SECTION 3. Initial applicability.**

(1) This act first applies to criminal actions commenced on the effective date of this subsection.

10 (END)