

2005 Assembly Bill 970

Date of enactment: **April 10, 2006**
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2005 WISCONSIN ACT 310

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.

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:

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.

SECTION 2. 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.

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].