

2007 Senate Bill 214

Date of enactment: **November 16, 2007**

Date of publication*: **December 3, 2007**

2007 WISCONSIN ACT 34

AN ACT *to renumber and amend* 43.30 (1b); *to amend* 43.30 (1m); and *to create* 43.30 (1b) (b) and 43.30 (5) of the statutes; **relating to:** the disclosure of certain library records to law enforcement officers.

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

SECTION 1. 43.30 (1b) of the statutes is renumbered 43.30 (1b) (intro.) and amended to read:

43.30 (1b) (intro.) In this section, ~~“custodial;~~

(a) “Custodial parent” includes any parent other than a parent who has been denied periods of physical placement with a child under ~~s. 767.24 (4)~~ s. 767.41 (4).

SECTION 2. 43.30 (1b) (b) of the statutes is created to read:

43.30 (1b) (b) “Law enforcement officer” has the meaning given in s. 165.85 (2) (c).

SECTION 3. 43.30 (1m) of the statutes is amended to read:

43.30 (1m) Records of any library which is in whole or in part supported by public funds, including the records of a public library system, indicating the identity of any individual who borrows or uses the library’s documents or other materials, resources, or services may not be disclosed except by court order or to persons acting

within the scope of their duties in the administration of the library or library system, to persons authorized by the individual to inspect such records, to custodial parents or guardians of children under the age of 16 ~~as required~~ under sub. (4), ~~or to libraries as authorized under subs. (2) and (3),~~ or to law enforcement officers under sub. (5).

SECTION 4. 43.30 (5) of the statutes is created to read:

43.30 (5) (a) Upon the request of a law enforcement officer who is investigating criminal conduct alleged to have occurred at a library supported in whole or in part by public funds, the library shall disclose to the law enforcement officer all records pertinent to the alleged criminal conduct that were produced by a surveillance device under the control of the library.

(b) If a library requests the assistance of a law enforcement officer, and the director of the library determines that records produced by a surveillance device under the control of the library may assist the law enforcement officer to render the requested assistance, the library may disclose the records to the law enforcement officer.

* Section 991.11, WISCONSIN STATUTES 2005–06 : 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].