# 2007 DRAFTING REQUEST

## Senate Amendment (SA-SB214)

FE Sent For:

Received: 08/29/2007  Wanted: As time permits  For: Tim Carpenter (608) 266-8535  This file may be shown to any legislator: NO					Received By: pgrant  Identical to LRB:  By/Representing: Stuart Ewy  Drafter: pgrant													
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									Subject	: Educat	ion - libraries			Extra Copies:	TKK			
									Submit	via email: <b>YES</b>								
Request	ter's email:	Sen.Carper	nter@legis.	wisconsin.go	ov													
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For: Tim Carpenter (608) 266-8535

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May Contact:

Addl. Drafters:

Subject:

**Education - libraries** 

Extra Copies:

TKK

Submit via email: YES

Requester's email:

Sen.Carpenter@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Disclosure of library records

Instructions:

See Attached

**Drafting History:** 

Vers.

Drafted

Reviewed

Typed Proofed

Submitted

Jacketed

Required

/? pgrant

FE Sent For:

<END>

#### Grant, Peter

From:

Ewy, Stuart

Sent:

Tuesday, August 28, 2007 4:15 PM

To: Subject: LRB.Legal; Grant, Peter Message for Peter Grant

Peter Grant

Hello-

2310

Could you please draft an amendment for Tim Carpenter to SB 214? LRB-2801/1

SB 214 requires a library to disclose to a law enforcement officer, upon his or her request, all records produced by a surveillance device, if the officer is investigating criminal conduct alleged to have occurred at the library.

Could you please draft an amendment that would also, additionally, allow the library to release to law enforcement officials such surveillance records if the library itself initiates contact with law enforcement for assistance? And the records the library releases must be pertinent to the assistance they are seeking from law enforcement.

I have some other questions, so could you please call me when you get a chance?

Thank you,

Regards,

G. Stuart Ewy Office of Senator Tim Carpenter State Capitol 306 S 608.266.8535

### **2007 SENATE BILL 214**

June 19, 2007 – Introduced by Senators Ellis, Plale, Cowles, Roessler and Olsen, cosponsored by Representatives Kaufert, Hahn, Gronemus, Montgomery, A. Ott, Albers, Petrowski, Jeskewitz, Townsend, Gunderson, Van Roy and Nass. Referred to Committee on Public Health, Senior Issues, Long Term Care and Privacy.

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

### Analysis by the Legislative Reference Bureau

Under current law, public library records may not be disclosed to any person except in certain specified circumstances. This bill requires a public library to disclose to a law enforcement officer, upon his or her request, all records produced by a surveillance device, if the officer is investigating criminal conduct alleged to have occurred at the public library.

# 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
- 5 amended to read:
- 6 43.30 **(1b)** (intro.) In this section, "custodial:
- 7 (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).

### **SENATE BILL 214**

	1 .	<b>SECTION 2.</b> 43.30 (1b) (b) of the statutes is created to read:
	2	43.30 (1b) (b) "Law enforcement officer" has the meaning given in s. 165.85 (2)
	3	(c).
	4	<b>Section 3.</b> 43.30 (1m) of the statutes is amended to read:
	5	43.30 (1m) Records of any library which is in whole or in part supported by
	6	public funds, including the records of a public library system, indicating the identity
	7	of any individual who borrows or uses the library's documents or other materials,
	8	resources, or services may not be disclosed except by court order or to persons acting
	9	within the scope of their duties in the administration of the library or library system,
1	0	to persons authorized by the individual to inspect such records, to custodial parents
1	.1	or guardians of children under the age of 16 as required under sub. (4), or to libraries
1	2	as authorized under subs. (2) and (3), or to law enforcement officers under sub. (5).
1	3	<b>Section 4.</b> 43.30 (5) of the statutes is created to read:
1	4	43.30 (5) Upon the request of a law enforcement officer who is investigating
1	5	criminal conduct alleged to have occurred at a library supported in whole or in part
1	6	by public funds, the library shall disclose to the law enforcement officer all records
1	7	produced by a surveillance device under the control of the library.
1	8	(END)

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Date (time) needed

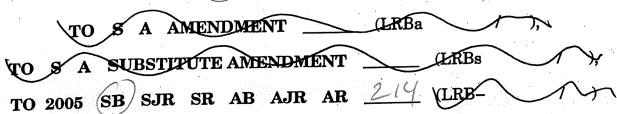


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## **AMENDMENT**

See form AMENDMENTS — COMPONENTS & ITEMS.

# A AMENDMENT



At the locations indicated, amend the \_ as follows: (fill ONLY if "engrossed ...." or "as shown by ......") after "15)" insert " (a)" #. Page . . ?., line . /. . /:

#. Page. 2., line. 1.7: after that line insert:

Page . . . , line . . / . : /., line . . . : #. Page . Page ...., line ....:

#### STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

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