



## 2009 ASSEMBLY BILL 124

1 AN ACT *to amend* 971.31 (10); and *to create* 808.03 (3) and 938.297 (8) of the  
2 statutes; **relating to:** appellate procedure.

---

*Analysis by the Legislative Reference Bureau*

---

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

3 SECTION 1. 808.03 (3) of the statutes is created to read:

4 808.03 (3) REVIEW OF AN ORDER DENYING SUPPRESSION OR EXCLUSION OF EVIDENCE.

5 (a) An order denying a motion to suppress evidence or a motion challenging the  
6 admissibility of a statement of a juvenile may be reviewed upon appeal from a final  
7 judgment or order notwithstanding the fact that the judgment or order was entered  
8 upon an admission or a plea of no contest to the allegations in the petition.

9 (b) An order denying a motion to suppress evidence or a motion challenging the  
10 admissibility of a statement of a defendant may be reviewed upon appeal from a final

**ASSEMBLY BILL 124**

1 judgment or order notwithstanding the fact that the judgment or order was entered  
2 upon a plea of guilty or no contest to the information or criminal complaint.

3 **SECTION 2.** 938.297 (8) of the statutes is created to read:

4 938.297 **(8)** APPELLATE REVIEW. An order denying a motion to suppress evidence  
5 or a motion challenging the admissibility of a statement of a juvenile may be  
6 reviewed upon appeal from a final judgment or order notwithstanding the fact that  
7 the judgment or order was entered upon an admission or a plea of no contest to the  
8 allegations in the petition.

9 **SECTION 3.** 971.31 (10) of the statutes is amended to read:

10 971.31 **(10)** An order denying a motion to suppress evidence or a motion  
11 challenging the admissibility of a statement of a defendant may be reviewed upon  
12 appeal from a final judgment of conviction or order notwithstanding the fact that  
13 ~~such~~ the judgment or order was entered upon a plea of guilty or no contest to the  
14 information or criminal complaint.

15 **SECTION 4. Effective date.**

16 (1) This act takes effect on the first day of the 4th month beginning after  
17 publication.

18 (END)