

State of Wisconsin



2009 Assembly Bill 124

Date of enactment: **June 19, 2009**

Date of publication*: **July 3, 2009**

2009 WISCONSIN ACT 27

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

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

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

808.03 (3) REVIEW OF AN ORDER DENYING SUPPRESSION OR EXCLUSION OF EVIDENCE. (a) An order denying a motion to suppress evidence or a motion challenging the admissibility of a statement of a juvenile may be reviewed upon appeal from a final judgment or order notwithstanding the fact that the judgment or order was entered upon an admission or a plea of no contest to the allegations in the petition.

(b) An order denying a motion to suppress evidence or a motion challenging the admissibility of a statement of a defendant may be reviewed upon appeal from a final judgment or order notwithstanding the fact that the judgment or order was entered upon a plea of guilty or no contest to the information or criminal complaint.

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

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

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

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

SECTION 4. Effective date.

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

* Section 991.11, WISCONSIN STATUTES 2007-08 : 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].