

SENATE BILL 617 (LRB -4514)

An Act to create 905.16 of the statutes; relating to: creating a privilege for communications to veteran mentors.

2010

- 03-15. S. Introduced by Senators **Taylor** and **Kreitlow**; cosponsored by Representatives **Shilling, Turner, Hilgenberg, Molepske Jr., Sinicki** and **Suder**.
- 03-15. S. Read first time and referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing 633
- 03-17. S. Public hearing held.
- 03-23. S. Executive action taken.
- 03-24. S. Report passage recommended by committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing, Ayes 5, Noes 0 654
- 03-24. S. Available for scheduling.
- 04-08. S. Placed on calendar 4-13-2010 pursuant to Senate Rule 18(1) 681
- 04-08. S. Senate substitute amendment 1 offered by Senator Taylor (**LRB s0416**) 680
- 04-13. S. Read a second time.
- 04-13. S. Senate substitute amendment 1 **adopted**.
- 04-13. S. Ordered to a third reading.
- 04-13. S. Rules suspended.
- 04-13. S. Read a third time and **passed**.
- 04-13. S. Ordered immediately messaged.
- 04-14. A. Received from Senate 830
- 04-14. A. Read first time and referred to committee on Rules 832
- 04-15. A. Rules suspended to withdraw from committee on Rules and take up.
- 04-15. A. Read a second time.
- 04-15. A. Ordered to a third reading.
- 04-15. A. Rules suspended.
- 04-15. A. Read a third time and **concurred in**.
- 04-15. A. Ordered immediately messaged.
- 04-16. S. Received from Assembly concurred in.

2009
ENROLLED BILL

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ADOPTED DOCUMENTS:

Orig Engr

5 SubAmdt 1

09 50416 / 1

Amendments to above (if none, write "NONE"):

None

Corrections - show date (if none, write "NONE"):

None

Topic

Rel

4-17-10

Date

J Rully

Enrolling Drafter



**SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 SENATE BILL 617**

April 8, 2010 - Offered by Senator TAYLOR.

1 **AN ACT** *to create* 905.16 of the statutes; **relating to:** creating a privilege for
2 communications to veteran mentors.

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

3 **SECTION 1.** 905.16 of the statutes is created to read:

4 **905.16 Communications to veteran mentors.** (1) **DEFINITIONS.** As used in
5 this section:

6 (a) A communication is "confidential" if not intended to be disclosed to 3rd
7 parties other than to those persons present to further the interests of the veteran or
8 member or to persons reasonably necessary for the transmission of the
9 communication.

10 (b) A "veteran mentor" is an individual who meets all of the following criteria:

1 1. Served on active duty in the U.S. armed forces or in forces incorporated in
2 the U.S. armed forces, served in a reserve unit of the U.S. armed forces, or served in
3 the national guard.

4 2. Has successfully completed a judicially approved veterans mentoring
5 training program.

6 3. Has completed a background information form approved by a circuit court
7 judge from a county that is participating in a veterans mentoring program.

8 4. Is on the list of persons authorized by a circuit court judge to provide
9 assistance and advice in a veterans mentoring program.

10 (c) “Veteran or member” means an individual who is serving or has served on
11 active duty in the U.S. armed forces or in forces incorporated in the U.S. armed
12 forces, in a reserve unit of the U.S. armed forces, or in the national guard.

13 (d) “Veterans mentoring program” is a program approved by a circuit court
14 judge to provide assistance and advice to a veteran or member.

15 **(2) GENERAL RULE OF PRIVILEGE.** A veteran or member has a privilege to refuse
16 to disclose and to prevent another from disclosing a confidential communication
17 made by the veteran or member to a veteran mentor while the veteran mentor is
18 acting within the scope of his or her duties under the veterans mentoring program.

19 **(3) WHO MAY CLAIM THE PRIVILEGE.** The privilege may be claimed by the veteran
20 or member, by the veteran’s or member’s guardian or conservator, or by the veteran’s
21 or member’s personal representative if the veteran or member is deceased. The
22 veteran mentor may claim the privilege on behalf of the veteran or member. The
23 veteran mentor’s authority to claim the privilege on behalf of the person is presumed
24 in the absence of evidence to the contrary.

25 **(4) EXCEPTION.** There is no privilege under this section as to the following:

