



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 514	Assembly Amendment 1
<i>Memo published:</i> February 12, 2010	<i>Contact:</i> Melissa Schmidt, Staff Attorney (266-2298) Margit Kelley, Staff Attorney (266-9280)

Assembly Bill 514 reconciles conflicting provisions in the time limitations for commencing prosecution for crimes of first- and second-degree sexual assault where DNA evidence has been collected. The bill also expands the types of crimes for which the time limitations for commencing prosecution where DNA evidence has been collected apply to all felony crimes against life and bodily security and to all felony crimes against children.

Under the bill, the prosecution would be limited to commencing prosecution within 12 months after making a DNA match, even if the statute of limitations had not expired.

Assembly Amendment 1 revises the time limitations to provide that if the state collects DNA evidence and makes a match before the statute of limitations expires, prosecution may commence either within 12 months after making the match, or within the statute of limitations, whichever is later.

Legislative History

Assembly Amendment 1 was offered by Representative Staskunas on February 2, 2010. On February 4, 2010, the Assembly Committee on Criminal Justice recommended adoption of the amendment on a vote of Ayes, 10; Noes, 0, and recommended passage of the bill, as amended, on a vote of Ayes, 10; Noes, 0.

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