



**ASSEMBLY AMENDMENT 1,
TO SENATE BILL 40**

November 12, 2013 – Offered by Representative BIES.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: before that line insert:

3 “SECTION **1g.** 175.55 of the statutes is created to read:

4 **175.55 Searches of persons on probation, parole, or under extended**
5 **supervision. (1)** In this section:

6 (a) “Law enforcement agency” has the meaning given in s. 165.83 (1) (b).

7 (b) “Search” means a search authorized under s. 302.043 (4), 302.045 (3m) (e),
8 302.05 (3) (c) 4., 302.11 (6m), 302.113 (7r), 302.114 (8g), 304.02 (2m), 304.06 (1r), or
9 973.09 (1d).

10 **(2)** Each law enforcement agency shall adopt a written policy for conducting
11 a search. The policy shall require all of the following:

12 (a) A law enforcement officer who wishes to conduct a search to receive training
13 on the policy established under this section before he or she conducts a search.

1 (b) Except as provided in par. (c), the law enforcement officer who wishes to
2 conduct a search to submit, to his or her supervisor, a written summary of the facts
3 or circumstances that form the basis for reasonable suspicion to conduct the search.

4 (c) In the existence of exigent circumstances, the law enforcement officer who
5 wishes to conduct a search to present, to his or her supervisor, a verbal summary of
6 the facts or circumstances that form the basis for reasonable suspicion to conduct the
7 search. A law enforcement officer who receives approval for a search after providing
8 a summary under this paragraph shall, as soon as practicable after the search occurs,
9 reduce the summary to writing.

10 (d) A supervisor of the law enforcement officer who wishes to conduct a search
11 to review the summary of the facts submitted under par. (b) or (c) and to grant
12 approval to the search before the search occurs. A supervisor may not grant approval
13 to a law enforcement officer who has not received the training required under par.
14 (a).”.

15 **2.** Page 2, line 1: delete “**SECTION 1**” and substitute “**SECTION 1r**”.

16 **3.** Page 2, line 7: delete “conducted in a reasonable manner” and substitute
17 “approved according to the policy established under s. 175.55, conducted in a
18 reasonable manner.”.

19 **4.** Page 2, line 17: delete “conducted in a reasonable manner” and substitute
20 “approved according to the policy established under s. 175.55, conducted in a
21 reasonable manner.”.

22 **5.** Page 3, line 7: delete “conducted in a reasonable manner” and substitute
23 “approved according to the policy established under s. 175.55, conducted in a
24 reasonable manner.”.

