

**2015 DRAFTING REQUEST**

**Senate Substitute Amendment (SSA-SB82)**

Received: 2/9/2016 Received By: chanaman  
For: Van Wanggaard (608) 266-1832 Same as LRB: s0272  
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Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

DOJ review and conclusions

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	chanaman 2/9/2016	kfollett 2/9/2016	_____	lparisi 2/9/2016	lparisi 2/9/2016	

FE Sent For:

<END>



State of Wisconsin  
2015 - 2016 LEGISLATURE

50320/1  
LRBs0272/3  
PJH&CMH:all

SENATE SUBSTITUTE AMENDMENT,  
TO ASSEMBLY BILL ~~90~~

SB (LRBx 4729/1)

Now  
please

1 AN ACT *to repeal* 346.74 (5) (e), 940.49, 967.02 (title), 967.02 (3) and (4), 967.02  
2 (8), 967.03, 967.06 (title), 967.06 (2) (b), 967.07, 968.01 (1) (c), 968.02 (2), 968.02  
3 (3), 968.02 (4), 968.03 (title) and (3), 968.03 (1), 968.04 (1) (a), 968.04 (2) (title),  
4 968.04 (2) (c), 968.04 (3) (title), 968.04 (3) (a) 8., 968.04 (3) (b) 3. a., 968.04 (3)  
5 (b) 3. b. (intro.), 968.04 (3) (b) 4., 968.06 (title), 968.085 (2) (a) to (f), 968.09 (2),  
6 968.12 (3) (e), 969.001 (2), 969.01 (2) (title), 969.02 (title), (1), (2), (3) (a), (b), (c)  
7 and (d), (4), (4m), (5), (7), (7m) and (8), 969.03, 969.05, 969.08 (1), (2), (3) and  
8 (4), 969.09 (title), (1) and (3), 969.14, 970.01 (title), 970.01 (2), 970.02 (title),  
9 970.02 (1) (intro.), 970.02 (3), 970.02 (4), 970.032 (title), 971.04 (1) (a), 971.06  
10 (2), 971.06 (3), 971.07, 971.08 (3), 971.225 (1) (b), 971.29 (3), 971.30 (title) and  
11 (1), 971.31 (title), 971.31 (1), 971.31 (5) (a), 971.31 (7), 971.31 (8), 971.31 (10),  
12 972.02 (title), 972.04 (2), 972.10 (1) (a) (intro.), 972.10 (2), 972.10 (3), 972.10 (4),  
13 972.10 (6), 972.115 (title), 972.13 (title), 972.13 (6), 972.14 (1) (ag), 973.049 (1)



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRBs0320/1  
PJH&CMH:all

SENATE SUBSTITUTE AMENDMENT ,  
TO SENATE BILL (LRB-4729/1)

1     **AN ACT** *to repeal* 346.74 (5) (e), 940.49, 967.02 (title), 967.02 (3) and (4), 967.02  
2           (8), 967.03, 967.06 (title), 967.06 (2) (b), 967.07, 968.01 (1) (c), 968.02 (2), 968.02  
3           (3), 968.02 (4), 968.03 (title) and (3), 968.03 (1), 968.04 (1) (a), 968.04 (2) (title),  
4           968.04 (2) (c), 968.04 (3) (title), 968.04 (3) (a) 8., 968.04 (3) (b) 3. a., 968.04 (3)  
5           (b) 3. b. (intro.), 968.04 (3) (b) 4., 968.06 (title), 968.085 (2) (a) to (f), 968.09 (2),  
6           968.12 (3) (e), 969.001 (2), 969.01 (2) (title), 969.02 (title), (1), (2), (3) (a), (b), (c)  
7           and (d), (4), (4m), (5), (7), (7m) and (8), 969.03, 969.05, 969.08 (1), (2), (3) and  
8           (4), 969.09 (title), (1) and (3), 969.14, 970.01 (title), 970.01 (2), 970.02 (title),  
9           970.02 (1) (intro.), 970.02 (3), 970.02 (4), 970.032 (title), 971.04 (1) (a), 971.06  
10          (2), 971.06 (3), 971.07, 971.08 (3), 971.225 (1) (b), 971.29 (3), 971.30 (title) and  
11          (1), 971.31 (title), 971.31 (1), 971.31 (5) (a), 971.31 (7), 971.31 (8), 971.31 (10),  
12          972.02 (title), 972.04 (2), 972.10 (1) (a) (intro.), 972.10 (2), 972.10 (3), 972.10 (4),  
13          972.10 (6), 972.115 (title), 972.13 (title), 972.13 (6), 972.14 (1) (ag), 973.049 (1)

1 (b), 973.20 (1g), 974.05 (3), 977.076 (1), 979.05 (title), 979.06 (title), (1), (2) and  
2 (5), 979.07 and 979.08 (2); **to renumber** 967.02 (intro.), 967.02 (5), 967.057,  
3 967.08 (title), 967.10, 967.11, 968.01 (1) (intro.), (a) and (b), 968.04 (2) (b),  
4 968.04 (3) (b) (title), 968.075 (title), 968.075 (1), 968.075 (2) (ar), 968.075 (2) (b),  
5 968.075 (3), 968.075 (4), 968.075 (6) to (9), 968.085 (3) (intro.), 968.085 (3) (c),  
6 968.085 (6), 968.12 (4), 968.13 (1) (b), (c) and (d), 968.135 (title), 968.14, 968.16,  
7 968.17, 968.18, 968.20 (title), 968.20 (1r), 968.21, 968.22, 968.23, 968.24,  
8 968.255 (title), 968.255 (2) (intro.), 968.255 (5), 968.265, 968.27 (2), 968.27 (5),  
9 968.27 (8), 968.27 (10), 968.27 (12) and (13), 968.27 (14), 968.27 (14g), 968.27  
10 (15), 968.27 (17), 968.33, 968.373, 968.505 (title), 969.01 (title), 969.08 (5) (a),  
11 969.08 (5) (b) 2., 969.08 (5) (b) 5., 969.08 (6), 969.08 (9), 969.08 (10), 969.12,  
12 969.13, 970.03 (title), 970.03 (2), (3), (4), (5) and (6), 970.032 (2) (a), (b) and (c),  
13 970.04, 970.05, 971.027, 971.03, 971.04 (title), 971.12 (title), 971.16, 971.18,  
14 971.225 (title), 971.26, 971.34, 971.36, 971.365, 972.09, 972.10 (title), 972.10 (1)  
15 (a) 2., 972.11 (title), 972.11 (4), 972.13 (4), 972.13 (7), 972.15, 973.18 (title),  
16 973.18 (5), 973.19 (title) and 979.08 (title); **to renumber and amend** 801.50  
17 (5t), 967.02 (1), 967.02 (2), 967.02 (6), 967.02 (7), 967.04 (title), (1), (2), (3), (4),  
18 (5) and (6), 967.04 (7) (a), 967.04 (7) (b), 967.04 (8), 967.04 (9), 967.04 (10),  
19 967.05, 967.055, 967.06 (3), 967.08 (1), 967.08 (2) (intro.), 967.08 (2) (a) to (d),  
20 967.08 (3) (intro.), 967.08 (3) (a) to (f), 967.09, 968.01 (title), 968.01 (2), 968.01  
21 (3), 968.01 (4), 968.02 (title) and (1), 968.03 (2), 968.04 (title), 968.04 (1) (intro.),  
22 968.04 (1) (b), 968.04 (1) (c), 968.04 (1) (d), 968.04 (2) (a), 968.04 (3) (a) (intro.),  
23 968.04 (3) (a) 1. to 6., 968.04 (3) (a) 7., 968.04 (3) (b) 1., 968.04 (3) (b) 2., 968.04  
24 (3) (b) 3. (intro.), 968.04 (3) (b) 3. b. (form), 968.04 (4), 968.05, 968.06, 968.07,  
25 968.073, 968.075 (2) (a), 968.075 (2) (am), 968.075 (2m), 968.075 (5), 968.08,

1 968.085 (title), 968.085 (1), 968.085 (2) (intro.), 968.085 (3) (a), 968.085 (3) (b),  
2 968.085 (3) (d), 968.085 (4), 968.085 (5), 968.085 (7), 968.085 (8), 968.09 (title),  
3 968.09 (1), 968.10, 968.11, 968.12 (title), 968.12 (1), 968.12 (3) (title), 968.12 (3)  
4 (b), 968.13 (title), 968.13 (1) (intro.), 968.13 (1) (a), 968.13 (2), 968.135, 968.15,  
5 968.19, 968.20 (1), 968.20 (1g), 968.20 (1m), 968.20 (2), 968.20 (3) and (4),  
6 968.205, 968.25, 968.255 (1), 968.255 (2) (ag), (am), (ar), (b), (c), (d) and (e),  
7 968.255 (3), 968.255 (4), 968.255 (6), 968.255 (7), 968.256, 968.26, 968.27  
8 (intro.), 968.27 (1), 968.27 (3), 968.27 (4), 968.27 (6), 968.27 (7), 968.27 (9),  
9 968.27 (11), 968.28, 968.29, 968.30, 968.31, 968.32, 968.34, 968.35, 968.36,  
10 968.37, 968.38, 968.40 (title), 968.40 (1), 968.40 (3), 968.40 (4), 968.40 (6), (7)  
11 and (8), 968.41, 968.42, 968.43, 968.44, 968.45 (title), 968.45 (1), 968.45 (2),  
12 968.46, 968.47, 968.48, 968.49, 968.50, 968.505, 968.51, 968.52, 968.53, 969.001  
13 (intro.), 969.001 (1), 969.01 (1), 969.01 (2) (a), 969.01 (2) (d), 969.01 (2) (e),  
14 969.01 (3), 969.01 (4), 969.02 (2m), 969.02 (3) (e), 969.02 (6), 969.035, 969.04,  
15 969.065, 969.07, 969.08 (title), 969.08 (5) (b) 1., 969.08 (5) (b) 3., 969.08 (5) (b)  
16 4., 969.08 (7), 969.08 (8), 969.08 (9m), 969.09 (2), 969.11, 970.01 (1), 970.02 (1)  
17 (a), 970.02 (2), 970.02 (7), 970.02 (8), 970.03 (1), 970.03 (7), (8) and (9), 970.03  
18 (10), (12), (13) and (14), 970.032 (1), 970.032 (2) (intro.), 970.035, 970.038,  
19 971.01, 971.02, 971.04 (1) (intro.), 971.04 (1) (b), (c), (d), (e), (f), (g) and (h),  
20 971.04 (2), 971.04 (3), 971.05, 971.06 (1), 971.08 (1) (a), 971.12 (1) and (2), 971.12  
21 (3), 971.12 (4), 971.13, 971.14, 971.15, 971.165, 971.17, 971.19, 971.20, 971.22,  
22 971.223, 971.225 (1) (intro.), (a) and (c), 971.225 (2), 971.23, 971.27, 971.29  
23 (title), 971.29 (1), 971.29 (2), 971.31 (2), 971.31 (3), 971.31 (4), 971.31 (6), 971.31  
24 (9), 971.31 (11), 971.31 (12), 971.31 (13), 971.315, 971.32, 972.02 (1), 972.02 (2),  
25 972.02 (3), 972.02 (4), 972.03, 972.07, 972.08, 972.085, 972.10 (1) (a) 1., 972.10

1 (1) (b), 972.10 (5), 972.10 (7), 972.11 (1), 972.11 (2), 972.11 (2m) (a) (intro.) and  
2 1., 972.11 (2m) (b), 972.11 (2m) (bm), 972.11 (2m) (c) (intro.), 1m., 2m. and 3m.,  
3 972.11 (3), 972.11 (3m), 972.115 (1), 972.115 (2), 972.115 (4) and (5), 972.12,  
4 972.13 (1), 972.13 (2), 972.13 (3), 972.13 (5), 972.14 (title), (2), (2m) and (3),  
5 973.18 (1), 973.18 (2), (3) and (4), 973.19 (1) (a), 973.19 (1) (b), 973.19 (2), (3),  
6 (4) and (5), 977.076 (2), 979.04, 979.05 (1), 979.05 (2), 979.05 (3), 979.05 (4),  
7 979.05 (5), (6) and (7), 979.06 (3), (4) and (6), 979.08 (1), 979.08 (3) (a), 979.08  
8 (3) (b), 979.08 (5), 979.08 (6) and 979.08 (7); **to consolidate, renumber and**  
9 **amend** 967.06 (1) and (2) (a), 968.12 (2) and (3) (a) and (d), 968.12 (3) (c) and  
10 (f), 968.27 (16) (intro.), (a) and (b), 969.01 (2) (b) and (c), 970.02 (1) (b) and (6),  
11 970.02 (1) (c) and (5), 971.11 (2) and (3), 971.30 (2) (intro.), (a), (b) and (c), 971.31  
12 (5) (b) and (c), 972.11 (2m) (a) 2. (intro.), a. and b., 972.14 (1) (intro.) and (b),  
13 973.049 (1) (intro.) and (a) and 979.08 (3) (intro.) and (4); **to amend** 6.10 (7m)  
14 (a) (intro.), 6.10 (7m) (a) 2., 13.35 (2), 16.84 (2), 17.16 (7) (b), 20.435 (2) (bj),  
15 20.550 (1) (f), 23.33 (4c) (b) 3., 23.56 (1), 23.65 (2), 29.921 (6), 29.938 (2), 29.972  
16 (1) (a), 29.972 (1) (c), 30.681 (2) (c), 46.10 (2), 48.31 (2), 48.396 (2) (dr), 48.78 (2)  
17 (d) 1., 48.981 (1) (b), 48.981 (7) (a) 14m., 49.138 (1m) (c), 51.05 (2), 51.20 (1) (am),  
18 51.20 (16) (j), 51.30 (4) (b) 8m., 51.30 (4) (b) 12m., 51.37 (1), 51.37 (4), 51.37 (9),  
19 51.375 (1) (a), 51.42 (3) (as) 1m., 51.42 (3) (as) 1r., 51.42 (3) (aw) 1. d., 51.437  
20 (4rm) (a), 51.87 (3), 55.075 (intro.), 59.34 (2) (a), 66.0113 (3) (e), 66.0114 (1) (a),  
21 66.0139 (4) and (5), 69.18 (2) (f) 3., 71.78 (4) (n), 77.61 (12) (b), 93.17 (2), 102.13  
22 (5), 103.005 (20), 103.10 (1m) (b) 1., 110.001 (1m), 110.07 (2m), 110.07 (4), 111.07  
23 (2) (b) 2., 128.16 (2), 133.15 (2), 134.43 (3), 139.20 (2), 139.39 (5) (b), 146.81 (4),  
24 146.82 (2) (c), 154.30 (3) (a) 2., 165.76 (1) (bm), 165.76 (1) (br), 165.76 (1) (g),  
25 165.76 (1m), 165.76 (4) (a) and (b), 165.76 (4) (c), 165.765 (1m), 165.765 (2) (a)

1 1., 165.77 (2) (b), 165.77 (2m) (c), 165.77 (3), 165.77 (4) (am) 1., 165.77 (4) (am)  
2 2. (intro.), 165.77 (4) (am) 2. a., b. and d., 165.79 (1), 165.81 (1), 165.81 (3) (a)  
3 1. and 2., (b) and (f), 165.84 (7) (am) 1m. c., 167.10 (8) (b), 169.42 (2) (b), 173.10,  
4 173.12 (1m), 175.55 (2), 175.60 (3) (d), 175.60 (3) (e), 175.60 (9g) (a) 2., 175.60  
5 (11) (a) 2. b., 175.60 (11) (a) 2. c., 175.60 (11) (a) 2. g., 175.60 (11) (a) 2. i., 175.60  
6 (14) (am), 195.048 (2), 196.207 (3) (e), 196.48 (1) (b), 230.81 (2), 251.16, 252.11  
7 (5m), 252.11 (7), 252.15 (2m) (b) 3., (3m) (d) 14. and (4) (c), 301.03 (3c), 301.03  
8 (7m), 301.45 (1g) (c), 301.45 (1g) (d), 301.45 (1g) (dd), 301.45 (1g) (e), 301.45 (1m)  
9 (b), 301.45 (1m) (be), 301.45 (1m) (bm), 301.45 (1m) (bv), 301.45 (1m) (d) 1.,  
10 301.45 (1m) (e) (intro.), 301.45 (1p) (b), 301.45 (3) (a) 3., 301.45 (3) (b) 3., 301.45  
11 (5) (a) 3., 301.45 (5) (b) 3., 301.45 (6) (a) 2. a., 301.45 (6) (ag) 2. a., 301.45 (6) (bm),  
12 301.45 (7) (f) 4., 301.46 (3) (d), 301.47 (3) (b) 1., 301.48 (2) (a) 4., 301.48 (2) (a)  
13 5., 302.113 (9) (e), 302.114 (9) (d), 304.06 (3), 322.0767 (1) (a), 322.0767 (1) (b),  
14 322.0767 (1) (c), 322.0767 (1) (d), 322.0767 (2) (a), 322.0767 (2) (b), 322.0767 (2)  
15 (c), 322.0767 (2) (d), 322.0767 (2) (e), 343.305 (9) (c), 345.20 (1) (a), 345.20 (2)  
16 (c), 345.28 (3) (a), 345.28 (5) (b) 1., 345.31, 346.63 (2) (am), 346.63 (6) (b), 350.101  
17 (2) (c), 551.602 (5) (b), 553.55 (3) (b), 601.62 (5) (b), 631.95 (1) (c), 704.16 (1) (b)  
18 4., 704.16 (1) (b) 7., 704.16 (3) (b) 2. d., 704.16 (3) (b) 2. g., 756.06 (2) (a), 756.06  
19 (2) (c), 757.54 (2) (a) 1., 757.54 (2) (a) 2., 757.69 (1) (b), 757.69 (1) (i), 758.171,  
20 767.87 (4) (b), 781.04 (1), 800.035 (8), 801.02 (7) (a) 2. c., 801.02 (7) (a) 2. e.,  
21 801.52, 807.05, 808.04 (3), 808.04 (4), 808.075 (4) (b) 4., 808.075 (4) (g) 1.,  
22 808.075 (4) (g) 2., 808.075 (4) (g) 7., subchapter III (title) of chapter 809  
23 [precedes 809.30], 809.30 (title), 809.30 (1) (a), 809.30 (1) (b) 4., 809.30 (1) (c),  
24 809.30 (1) (e), 809.30 (2) (a), 809.30 (2) (d), 809.31 (6), 814.22 (1) (intro.), 814.69  
25 (1) (a), 885.01 (2), 885.15 (2), 885.24 (2), 885.25 (2m), 885.365 (1), 885.64 (2),

1 891.39 (1) (b), 891.39 (2) (b), 893.93 (1) (d), 895.01 (1) (am) 7., 895.34, 895.446  
2 (4), 895.45 (1) (a), 895.46 (9) (a) (intro.) and 2. and (b) (intro.) and 2., 895.54,  
3 901.01, 901.04 (1), 901.04 (3) (cm), 901.05 (3), 904.04 (1) (b), 904.04 (2) (b) 1.,  
4 904.06 (1), 906.08 (1) (intro.), 906.08 (2), 907.06 (5), 908.08 (5) (am), 908.08 (5)  
5 (b), 908.08 (6), 911.01 (1), 911.01 (4) (b), 911.01 (4) (c), 938.183 (1) (ar), 938.183  
6 (1m) (b), 938.195 (1) (a), 938.293 (2), 938.30 (2), 938.30 (3), 938.30 (5) (c) (intro.),  
7 938.30 (5) (d) (intro.), 938.30 (5) (e) 1. (intro.), 938.31 (2), 938.31 (3) (a) 4., 938.31  
8 (3) (d), 938.315 (2), 938.35 (1) (cm), 938.396 (1) (a), 938.396 (2g) (dr), 938.535,  
9 938.78 (2) (d) 1., 939.60, 939.615 (2) (a), 939.615 (3) (d), 939.621 (1) (a), 939.621  
10 (2), 939.74 (1), 939.74 (3), 939.74 (4), 940.09 (1m) (a), 940.09 (1m) (b), 940.225  
11 (4) (intro.), 940.25 (1m) (b), 940.32 (2m) (d), 940.48 (intro.), 941.28 (5), 941.29  
12 (3), 943.245 (3m), 943.51 (3r), 946.49 (1) (intro.), 946.49 (2), 946.52, 946.60 (1),  
13 946.86 (2), 946.87 (2) (am), 948.015 (9), 948.31 (5), 948.50 (5), 949.165 (1) (a),  
14 949.165 (9), 950.04 (1v) (d), 950.04 (1v) (dL), 950.04 (1v) (do), 950.04 (1v) (e),  
15 950.04 (1v) (em), 950.04 (1v) (er), 950.04 (1v) (g), 950.04 (1v) (L), 950.04 (1v) (m),  
16 950.04 (1v) (p), 950.04 (1v) (pd), 950.04 (1v) (qm), 950.04 (1v) (s), 950.04 (1v)  
17 (um), 950.04 (1v) (x), 950.04 (2w) (f), 950.055 (2) (b), 950.08 (2g) (c), 950.08 (2g)  
18 (e), 950.08 (2g) (h), 950.08 (2r) (intro.), 950.08 (2w), 951.01 (4), 961.48 (2m) (a),  
19 961.48 (2m) (b) (intro.), 967.01, 968.375 (4), 969.02 (7m), 969.10, 971.08 (title),  
20 971.08 (1) (d), 971.095 (2) and (3), 971.105, 971.11 (1), 971.11 (5), 971.11 (6),  
21 971.11 (7), 971.38 (1), 971.39 (1) (intro.), 972.01, 972.03 (title), 972.04 (1),  
22 972.06, 973.013 (4), 973.015 (2m) (c) (intro.), 973.017 (6m) (a) 2., 973.03 (3) (b),  
23 973.03 (3) (e) 2., 973.03 (4) (d), 973.03 (5) (a) 1., 973.03 (5) (a) 2., 973.042 (4),  
24 973.043 (2), 973.045 (2), 973.046 (2), 973.048 (5), 973.05 (3) (b), 973.05 (4) (b),  
25 973.05 (4) (c), 973.05 (5) (a) 1., 973.05 (5) (a) 2., 973.05 (5) (c), 973.05 (5) (d),



1 973.05 (5) (e), 973.055 (2) (a), 973.06 (1) (av) 2. a. and b., 973.06 (1) (h), 973.076  
2 (1) (b) 1., 973.076 (2m) (b), 973.08 (5), 973.09 (2) (a) 1. b., 973.09 (3) (b), 973.09  
3 (3) (bg) 2. and 4., 973.09 (3) (bm) 4., 973.09 (7m) (a), 973.10 (2m), 973.135 (3),  
4 973.20 (1r), 973.20 (9m), 973.20 (11) (a), 973.20 (12) (c), 974.02, 974.05 (1)  
5 (intro.), 974.05 (1) (a), (b), (c) and (d) (intro.), 1. and 2., 974.05 (2), 974.06 (title),  
6 (1), (2) and (3) (intro.), (a), (b) and (d), 974.06 (4), 974.06 (5), (6), (7) and (8),  
7 974.07 (4) (b), 974.07 (7) (b) 1., 974.07 (9) (a), 974.07 (10) (a) 4., 977.02 (2m),  
8 977.02 (3) (intro.), 977.02 (4r), 977.03 (2m), 977.05 (4) (gm), 977.05 (4) (h),  
9 977.05 (4) (j), 977.05 (6) (b) 2., 977.05 (6) (e) (intro.) and 2., 977.06 (2) (a), 977.06  
10 (2) (am), 977.06 (3) (b), 977.07 (1) (a), 977.07 (1) (c), 977.07 (2m), 977.08 (2)  
11 (intro.), 978.045 (1r) (cm), 978.05 (3), 978.05 (4), 978.05 (6) (a), 978.08 (1) (a) and  
12 (b) and (2), 979.02, 979.025 (1), 979.025 (2), 979.09, 979.10 (2), 979.11, 979.22,  
13 980.015 (2) (c), 980.031 (4), 980.036 (2) (c), 980.036 (6) and 995.50 (7); **to repeal**  
14 **and recreate** chapter 969 (title), chapter 970 (title), chapter 971 (title), 971.08  
15 (1) (b), 971.09 and 972.04 (title); and **to create** 48.315 (4), 175.27 (title), 809.30  
16 (2) (m), 904.045 (title), 938.18 (10), 938.21 (2) (f), 967.025 (title), 967.025 (2),  
17 967.025 (3), 967.025 (5), 967.025 (7), 967.025 (8), 967.025 (10), 967.025 (11),  
18 967.025 (14), 967.025 (15), 967.025 (16), 967.025 (17), 967.12 (3), 967.13 (1) (a)  
19 and (b), 967.13 (1) (i), 967.14 (1) (dm), 967.14 (2), 967.14 (4), 967.21 (2) (title),  
20 967.21 (3) (title), 967.21 (4) (title), 967.21 (5) (title), 967.21 (6) (title), 967.22  
21 (title), subchapter I (title) of chapter 968 [precedes 968.015], 968.025 (title),  
22 968.025 (3), 968.025 (4) (title), 968.025 (4) (e), 968.035 (title), subchapter II  
23 (title) of chapter 968 [precedes 968.105], subchapter III (title) of chapter 968  
24 [precedes 968.155], subchapter IV (title) of chapter 968 [precedes 968.305],  
25 subchapter V (title) of chapter 968 [precedes 968.455], subchapter VI (title) of

1 chapter 968 [precedes 968.465], 968.465 (5), 968.475 (2) (a), 968.475 (2) (e),  
2 968.475 (3), 968.485 (title), 968.585 (4m), 968.585 (7) (cm), subchapter VII  
3 (title) of chapter 968 [precedes 968.605], subchapter VIII (title) of chapter 968  
4 [precedes 968.705], 968.705 (2), (3) and (6), 968.71, subchapter I (title) of  
5 chapter 969 [precedes 969.15], 969.15, 969.19, 969.20 (2), 969.20 (6), 969.20 (7)  
6 (title), 969.21 (title), 969.24 (2m), 969.26 (title), 969.26 (3), subchapter II (title)  
7 of chapter 969 [precedes 969.30], 969.30 (3) to (7), 969.31 (3), 969.31 (4), 969.32,  
8 969.33 (title), 969.33 (1) (L), 969.33 (2), 969.33 (3), 969.33 (4), 969.33 (5) to (7),  
9 969.37, 969.38, 969.41, subchapter III (title) of chapter 969 [precedes 969.50],  
10 969.50 (2) and (3), subchapter I (title) of chapter 970 [precedes 970.06], 970.08  
11 (2), 970.09 (2), 970.10 (title), (1) and (3), 970.13 (3), 970.14 (13), 970.15,  
12 subchapter II (title) of chapter 970 [precedes 970.21], subchapter I (title) of  
13 chapter 971 [precedes 971.013], 971.015 (title), 971.015 (1) (title), 971.015 (1)  
14 (b), 971.015 (2), 971.015 (4), 971.028 (intro.), 971.028 (1m) and (4), 971.035,  
15 971.038, 971.042 (7) (intro.), subchapter II (title) of chapter 971 [precedes  
16 971.06], 971.065, 971.08 (1) (ag), 971.08 (1) (am), 971.093, subchapter III (title)  
17 of chapter 971 [precedes 971.098], 971.098, subchapter IV (title) of chapter 971  
18 [precedes 971.43], subchapter V (title) of chapter 971 [precedes 971.65], 971.65  
19 (title), 971.65 (2) (title) and (a), 971.66, 971.68 (title), (1) and (3), subchapter VI  
20 (title) of chapter 971 [precedes 971.75], 971.75 (title), 971.75 (2), 971.75 (4),  
21 971.75 (6), 971.75 (7), 971.75 (9), 971.76, 971.77 (title), subchapter VII (title) of  
22 chapter 971 [precedes 971.80], 972.025 (title) and (1), 972.04 (3), 972.065 (title),  
23 972.075, 972.16 (1) and (2), 972.18 (title), 972.18 (1) (cm), 972.19, 972.20 (title),  
24 972.22 (title), 972.23 (title), 972.23 (2) and (3), 972.24, 972.25, 972.26, 972.28

1 (title), 972.29 (title), 974.08 (title), 974.08 (1), 974.08 (2) and (3) and 974.09  
2 (title) of the statutes; **relating to:** criminal procedure and providing penalties.

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

3 **SECTION 1.** 6.10 (7m) (a) (intro.) of the statutes is amended to read:

4 6.10 (7m) (a) (intro.) The residence of a person who is detained, or committed  
5 and institutionalized, under s. 51.20, ~~971.14~~ 971.81, or ~~971.17~~ 971.85 or ch. 980 shall  
6 be determined by applying the standards under sub. (1) to whichever of the following  
7 dates is applicable to the circumstances of the person:

8 **SECTION 2.** 6.10 (7m) (a) 2. of the statutes is amended to read:

9 6.10 (7m) (a) 2. For a person committed under s. ~~971.14~~ 971.81 or ~~971.17~~  
10 971.85, the date of the offense or alleged offense that resulted in the person's  
11 commitment.

12 **SECTION 3.** 13.35 (2) of the statutes is amended to read:

13 13.35 (2) The immunity provided under sub. (1) is subject to the restrictions  
14 under s. ~~972.085~~ 967.18.

15 **SECTION 4.** 16.84 (2) of the statutes is amended to read:

16 16.84 (2) Appoint such number of police officers as is necessary to safeguard  
17 all public property placed by law in the department's charge, and provide, by  
18 agreement with any other state agency, police and security services at buildings and  
19 facilities owned, controlled, or occupied by the other state agency. The governor or  
20 the department may, to the extent it is necessary, authorize police officers employed  
21 by the department to safeguard state officers, state employees, or other persons. A  
22 police officer who is employed by the department and who is performing duties that  
23 are within the scope of his or her employment as a police officer has the powers of a

1 peace officer under s. 59.28, except that the officer has the arrest powers of a law  
2 enforcement officer under s. ~~968.07~~ 969.16 regardless of whether the violation is  
3 punishable by forfeiture or criminal penalty. The officer may exercise the powers of  
4 a peace officer and the arrest powers of a law enforcement officer while located  
5 anywhere within this state. Nothing in this subsection limits or impairs the duty of  
6 the chief and each police officer of the police force of the municipality in which the  
7 property is located to arrest and take before the proper court or magistrate persons  
8 found in a state of intoxication or engaged in any disturbance of the peace or violating  
9 any state law in the municipality in which the property is located, as required by s.  
10 62.09 (13).

11 **SECTION 5.** 17.16 (7) (b) of the statutes is amended to read:

12 17.16 (7) (b) The immunity provided under par. (a) is subject to the restrictions  
13 under s. ~~972.085~~ 967.18.

14 **SECTION 6.** 20.435 (2) (bj) of the statutes is amended to read:

15 20.435 (2) (bj) *Competency examinations and treatment, and conditional*  
16 *release, supervised release, and community supervision services.* Biennially, the  
17 amounts in the schedule for outpatient competency examinations and treatment  
18 services; and for payment by the department of costs for treatment and services for  
19 persons released under s. 980.06 (2) (c), 1997 stats., s. 980.08 (5), 2003 stats., or s.  
20 ~~971.17~~ 971.85 (3) (d) or (4) (e) or 980.08 (4) (g) or for persons who are inmates of the  
21 department of corrections who are released on community supervision, for which the  
22 department has contracted with county departments under s. 51.42 (3) (aw) 1. d.,  
23 with other public agencies, or with private agencies to provide the treatment and  
24 services.

25 **SECTION 7.** 20.550 (1) (f) of the statutes is amended to read:

1           20.550 (1) (f) *Transcripts, discovery, and interpreters.* The amounts in the  
2 schedule for the costs of interpreters and discovery materials and for the  
3 compensation of court reporters or clerks of circuit court for preliminary  
4 examination, trial, and appeal transcripts, and the payment of related costs under  
5 s. ~~967.06 (3)~~ 977.072.

6           **SECTION 8.** 23.33 (4c) (b) 3. of the statutes is amended to read:

7           23.33 (4c) (b) 3. ‘Related charges.’ A person may be charged with and a  
8 prosecutor may proceed upon a complaint based upon a violation of any combination  
9 of subd. 1., 2., or 2m. for acts arising out of the same incident or occurrence. If the  
10 person is charged with violating any combination of subd. 1., 2., or 2m. in the  
11 complaint, the crimes shall be joined under s. ~~971.12~~ 970.13. If the person is found  
12 guilty of any combination of subd. 1., 2., or 2m. for acts arising out of the same  
13 incident or occurrence, there shall be a single conviction for purposes of sentencing  
14 and for purposes of counting convictions under sub. (13) (b) 2. and 3. Subdivisions  
15 1., 2., and 2m. each require proof of a fact for conviction which the others do not  
16 require.

17           **SECTION 9.** 23.56 (1) of the statutes is amended to read:

18           23.56 (1) A person may be arrested for a violation of those statutes enumerated  
19 in s. 23.50 (1), any administrative rules promulgated thereunder, any rule of the  
20 Kickapoo reserve management board under s. 41.41 (7) (k), or any local ordinances  
21 enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77, after  
22 a warrant that substantially complies with s. ~~968.04~~ 969.20 has been issued. Except  
23 as provided in sub. (2), the person arrested shall be brought without unreasonable  
24 delay before a court having jurisdiction to try the action.

25           **SECTION 10.** 23.65 (2) of the statutes is amended to read:

1           23.65 (2) The complaint shall be prepared in the form specified in s. 23.55.  
2           After a complaint is prepared, it shall be filed with the judge and a summons shall  
3           be issued or the complaint shall be dismissed pursuant to s. ~~968.03~~ 969.20. Such  
4           filing commences the action.

5           **SECTION 11.** 29.921 (6) of the statutes is amended to read:

6           29.921 (6) SEARCH WARRANTS; SUBPOENAS. In executing search warrants and  
7           subpoenas under this chapter where the penalty for the violation is a forfeiture, the  
8           department shall use procedures which comply with ss. ~~968.12~~ 968.465, 968.485,  
9           968.495, 968.506, 968.605, 968.615, and ~~968.135 to 968.19~~ 968.705.

10          **SECTION 12.** 29.938 (2) of the statutes is amended to read:

11          29.938 (2) Property turned over to the department under s. ~~968.20 (3)~~ 175.27  
12          (1).

13          **SECTION 13.** 29.972 (1) (a) of the statutes is amended to read:

14          29.972 (1) (a) Fails to respond to a summons under s. 23.66 (3) or 23.67 (4), or  
15          a warrant or summons under s. ~~968.04~~ 969.20.

16          **SECTION 14.** 29.972 (1) (c) of the statutes is amended to read:

17          29.972 (1) (c) Fails to appear before the court and is subject to a bench warrant  
18          under s. ~~968.09~~ 969.50.

19          **SECTION 15.** 30.681 (2) (c) of the statutes is amended to read:

20          30.681 (2) (c) *Related charges*. A person may be charged with and a prosecutor  
21          may proceed upon a complaint based upon a violation of any combination of par. (a)  
22          or (b) 1., 1m., or 2. for acts arising out of the same incident or occurrence. If the person  
23          is charged with violating any combination of par. (a) or (b) 1., 1m., or 2. in the  
24          complaint, the crimes shall be joined under s. ~~971.12~~ 970.13. If the person is found  
25          guilty of any combination of par. (a) or (b) 1., 1m., or 2. for acts arising out of the same

1 incident or occurrence, there shall be a single conviction for purposes of sentencing  
2 and for purposes of counting convictions under s. 30.80 (6) (a) 2. and 3. Paragraphs  
3 (a) and (b) 1., 1m., and 2. each require proof of a fact for conviction which the others  
4 do not require.

5 **SECTION 16.** 46.10 (2) of the statutes is amended to read:

6 46.10 (2) Except as provided in subs. (2m) and (14) (b) and (c), any person,  
7 including but not limited to a person admitted, committed, protected, or placed under  
8 s. 975.01, 1977 stats., s. 975.02, 1977 stats., s. 975.17, 1977 stats., s. 55.05 (5), 2003  
9 stats., ~~and or s. 55.06, 2003 stats., and ss. or s. 51.10, 51.13, 51.15, 51.20, 51.35 (3),~~  
10 ~~51.37 (5), 51.45 (10), (11), (12) and (13), 55.05, 55.055, 55.12, 55.13, 55.135, 971.14~~  
11 ~~971.81~~ (2) and (5), ~~971.17 971.85~~ (1), 975.06 ~~and or~~ 980.06, receiving care,  
12 maintenance, services and supplies provided by any institution in this state  
13 including University of Wisconsin Hospitals and Clinics, in which the state is  
14 chargeable with all or part of the person's care, maintenance, services and supplies,  
15 any person receiving care and services from a county department established under  
16 s. 51.42 or 51.437 or from a facility established under s. 49.73, and any person  
17 receiving treatment and services from a public or private agency under s. 980.06 (2)  
18 (c), 1997 stats., s. 980.08 (5), 2003 stats., or s. ~~971.17 971.85~~ (3) (d) or (4) (e) or 980.08  
19 (4) (g) and the person's property and estate, including the homestead, and the spouse  
20 of the person, and the spouse's property and estate, including the homestead, and,  
21 in the case of a minor child, the parents of the person, and their property and estates,  
22 including their homestead, and, in the case of a foreign child described in s. 48.839  
23 (1) who became dependent on public funds for his or her primary support before an  
24 order granting his or her adoption, the resident of this state appointed guardian of  
25 the child by a foreign court who brought the child into this state for the purpose of

1 adoption, and his or her property and estate, including his or her homestead, shall  
2 be liable for the cost of the care, maintenance, services and supplies in accordance  
3 with the fee schedule established by the department under s. 46.03 (18). If a spouse,  
4 widow or minor, or an incapacitated person may be lawfully dependent upon the  
5 property for their support, the court shall release all or such part of the property and  
6 estate from the charges that may be necessary to provide for those persons. The  
7 department shall make every reasonable effort to notify the liable persons as soon  
8 as possible after the beginning of the maintenance, but the notice or the receipt  
9 thereof is not a condition of liability.

10 **SECTION 17.** 48.31 (2) of the statutes is amended to read:

11 48.31 (2) The hearing shall be to the court unless the child, the child's parent,  
12 guardian, or legal custodian, the unborn child's guardian ad litem, or the expectant  
13 mother of the unborn child exercises the right to a jury trial by demanding a jury trial  
14 at any time before or during the plea hearing. If a jury trial is demanded in a  
15 proceeding under s. 48.13 or 48.133, the jury shall consist of 6 persons. If a jury trial  
16 is demanded in a proceeding under s. 48.42, the jury shall consist of 12 persons unless  
17 the parties agree to a lesser number. Chapters 756 and 805 shall govern the selection  
18 of jurors. If the hearing involves a child victim or witness, as defined in s. 950.02,  
19 the court may order that a deposition be taken by audiovisual means and allow the  
20 use of a recorded deposition under s. ~~967.04 (7) to (10) and, with the district attorney,~~  
21 ~~shall comply with s. 971.105~~ 967.22. At the conclusion of the hearing, the court or  
22 jury shall make a determination of the facts, except that in a case alleging a child or  
23 an unborn child to be in need of protection or services under s. 48.13 or 48.133, the  
24 court shall make the determination under s. 48.13 (intro.) or 48.133 relating to  
25 whether the child or unborn child is in need of protection or services that can be



1 ordered by the court. If the court finds that the child or unborn child is not within  
2 the jurisdiction of the court or, in a case alleging a child or an unborn child to be in  
3 need of protection or services under s. 48.13 or 48.133, that the child or unborn child  
4 is not in need of protection or services that can be ordered by the court, or if the court  
5 or jury finds that the facts alleged in the petition have not been proved, the court shall  
6 dismiss the petition with prejudice.

7 **SECTION 18.** 48.315 (4) of the statutes is created to read:

8 48.315 (4) The court and the representative of the public under s. 48.09 shall  
9 take appropriate action to ensure a speedy fact-finding and dispositional hearing in  
10 order to minimize the time during which any victim of the abuse or neglect addressed  
11 at the hearing or any witness, as defined in s. 950.02 (5), who is a child must endure  
12 the stress of his or her involvement in the proceeding. In ruling on any motion or  
13 other request for any continuance or delay of the proceedings, the court shall consider  
14 and give weight to any adverse impact the delay or continuance may have on the  
15 well-being of the victim or any child witness.

16 **SECTION 19.** 48.396 (2) (dr) of the statutes is amended to read:

17 48.396 (2) (dr) Upon request of the department of corrections or any other  
18 person preparing a presentence investigation under s. ~~972.15~~ 973.004 to review court  
19 records for the purpose of preparing the presentence investigation, the court shall  
20 open for inspection by any authorized representative of the requester the records of  
21 the court relating to any child who has been the subject of a proceeding under this  
22 chapter.

23 **SECTION 20.** 48.78 (2) (d) 1. of the statutes is amended to read:

24 48.78 (2) (d) 1. The subject of a presentence investigation under s. ~~972.15~~  
25 973.004.

1           **SECTION 21.** 48.981 (1) (b) of the statutes is amended to read:

2           48.981 (1) (b) “Community placement” means probation; extended supervision;  
3 parole; aftercare; conditional transfer into the community under s. 51.35 (1);  
4 conditional transfer or discharge under s. 51.37 (9); placement in a Type 2 residential  
5 care center for children and youth or a Type 2 juvenile correctional facility  
6 authorized under s. 938.539 (5); conditional release under s. ~~971.17~~ 971.85;  
7 supervised release under s. 980.06 or 980.08; participation in the community  
8 residential confinement program under s. 301.046, the intensive sanctions program  
9 under s. 301.048, the corrective sanctions program under s. 938.533, the intensive  
10 supervision program under s. 938.534, or the serious juvenile offender program  
11 under s. 938.538; or any other placement of an adult or juvenile offender in the  
12 community under the custody or supervision of the department of corrections, the  
13 department of health services, a county department under s. 46.215, 46.22, 46.23,  
14 51.42, or 51.437 or any other person under contract with the department of  
15 corrections, the department of health services or a county department under s.  
16 46.215, 46.22, 46.23, 51.42, or 51.437 to exercise custody or supervision over the  
17 offender.

18           **SECTION 22.** 48.981 (7) (a) 14m. of the statutes is amended to read:

19           48.981 (7) (a) 14m. A judge conducting proceedings under s. ~~968.26~~ 968.105.

20           **SECTION 23.** 49.138 (1m) (c) of the statutes is amended to read:

21           49.138 (1m) (c) A member of the family was a victim of domestic abuse, as  
22 defined in s. ~~968.075~~ 969.27 (1) (a).

23           **SECTION 24.** 51.05 (2) of the statutes is amended to read:

24           51.05 (2) ADMISSIONS AUTHORIZED BY COUNTIES. The department may not accept  
25 for admission to a mental health institute any resident person, except in an

1 emergency, unless the county department under s. 51.42 in the county where the  
2 person has residence authorizes the care under s. 51.42 (3) (as). Patients who are  
3 committed to the department under s. 975.01, 1977 stats., or s. 975.02, 1977 stats.,  
4 or s. ~~971.14, 971.17~~ 971.81, 971.85, 975.06, or 980.06, admitted by the department  
5 under s. 975.17, 1977 stats., or are transferred from a juvenile correctional facility  
6 or a secured residential care center for children and youth to a state treatment  
7 facility under s. 51.35 (3) or from a jail or prison to a state treatment facility under  
8 s. 51.37 (5) are not subject to this section.

9 **SECTION 25.** 51.20 (1) (am) of the statutes is amended to read:

10 51.20 (1) (am) If the individual has been the subject of inpatient treatment for  
11 mental illness, developmental disability, or drug dependency immediately prior to  
12 commencement of the proceedings as a result of a voluntary admission, a  
13 commitment or protective placement ordered by a court under this section or, s.  
14 55.06, 2003 stats., s. ~~971.17~~ 971.85, or ch. 975, or a protective placement or protective  
15 services ordered under s. 55.12, or if the individual has been the subject of outpatient  
16 treatment for mental illness, developmental disability, or drug dependency  
17 immediately prior to commencement of the proceedings as a result of a commitment  
18 ordered by a court under this section, s. ~~971.17~~ 971.85, or ch. 975, the requirements  
19 of a recent overt act, attempt or threat to act under par. (a) 2. a. or b., pattern of recent  
20 acts or omissions under par. (a) 2. c. or e., or recent behavior under par. (a) 2. d. may  
21 be satisfied by a showing that there is a substantial likelihood, based on the subject  
22 individual's treatment record, that the individual would be a proper subject for  
23 commitment if treatment were withdrawn. If the individual has been admitted  
24 voluntarily to an inpatient treatment facility for not more than 30 days prior to the  
25 commencement of the proceedings and remains under voluntary admission at the

1 time of commencement, the requirements of a specific recent overt act, attempt or  
2 threat to act, or pattern of recent acts or omissions may be satisfied by a showing of  
3 an act, attempt or threat to act, or pattern of acts or omissions which took place  
4 immediately previous to the voluntary admission. If the individual is committed  
5 under s. ~~971.14~~ 971.81 (2) or (5) at the time proceedings are commenced, or has been  
6 discharged from the commitment immediately prior to the commencement of  
7 proceedings, acts, attempts, threats, omissions, or behavior of the subject individual  
8 during or subsequent to the time of the offense shall be deemed recent for purposes  
9 of par. (a) 2.

10 **SECTION 26.** 51.20 (16) (j) of the statutes is amended to read:

11 51.20 (16) (j) This subsection applies to petitions for reexamination that are  
12 filed under ch. 971, but not s. ~~971.17~~ 971.85, and ch. 975, except that the petitions  
13 shall be filed with the committing court.

14 **SECTION 27.** 51.30 (4) (b) 8m. of the statutes is amended to read:

15 51.30 (4) (b) 8m. To appropriate examiners and facilities in accordance with s.  
16 ~~54.36 (3), 971.17~~ 971.85 (2) (e), (4) (c), and (7) (c). The recipient of any information  
17 from the records shall keep the information confidential except as necessary to  
18 comply with s. ~~971.17~~ 971.85.

19 **SECTION 28.** 51.30 (4) (b) 12m. of the statutes is amended to read:

20 51.30 (4) (b) 12m. To any person if the patient was admitted under s. ~~971.14,~~  
21 ~~971.17~~ 971.81, 971.85, or 980.06 or ch. 975 or transferred under s. 51.35 (3) or 51.37  
22 and is on unauthorized absence from a treatment facility. Information released  
23 under this subdivision is limited to information that would assist in the  
24 apprehension of the patient.

25 **SECTION 29.** 51.37 (1) of the statutes is amended to read:

1           51.37 (1) All commitments under s. 975.01, 1977 stats., and s. 975.02, 1977  
2 stats., and under ss. ~~971.14 (5), 971.17~~ 971.81 (5), 971.85, and 975.06 shall be to the  
3 department.

4           **SECTION 30.** 51.37 (4) of the statutes is amended to read:

5           51.37 (4) The department may, with the approval of the committing court and  
6 the county department under s. 51.42 or 51.437, and subject to s. 51.35, transfer to  
7 the care and custody of a county department under s. 51.42 or 51.437 any person in  
8 an institution of the department committed under s. ~~971.14~~ 971.81 or ~~971.17~~ 971.85,  
9 if in its opinion, the mental condition of the person is such that further care is  
10 required and can be properly provided under the direction of the county department  
11 under s. 51.42 or 51.437.

12           **SECTION 31.** 51.37 (9) of the statutes is amended to read:

13           51.37 (9) If in the judgment of the director of Mendota Mental Health Institute,  
14 Winnebago Mental Health Institute or the Milwaukee County Mental Health  
15 Complex, any person who is committed under s. ~~971.14~~ 971.81 or ~~971.17~~ 971.85 is not  
16 in such condition as warrants his or her return to the court but is in a condition to  
17 receive a conditional transfer or discharge under supervision, the director shall  
18 report to the department of health services, the committing court and the district  
19 attorney of the county in which the court is located his or her reasons for the  
20 judgment. If the court does not file objection to the conditional transfer or discharge  
21 within 60 days of the date of the report, the director may, with the approval of the  
22 department of health services, conditionally transfer any person to a legal guardian  
23 or other person, subject to the rules of the department of health services. Before a  
24 person is conditionally transferred or discharged under supervision under this  
25 subsection, the department of health services shall so notify the municipal police

1 department and county sheriff for the area where the person will be residing. The  
2 notification requirement does not apply if a municipal department or county sheriff  
3 submits to the department of health services a written statement waiving the right  
4 to be notified. The department of health services may contract with the department  
5 of corrections for the supervision of persons who are transferred or discharged under  
6 this subsection.

7 **SECTION 32.** 51.375 (1) (a) of the statutes is amended to read:

8 51.375 (1) (a) “Community placement” means conditional transfer into the  
9 community under s. 51.35 (1), conditional release under s. ~~971.17~~ 971.85, parole from  
10 a commitment for specialized treatment under ch. 975, or supervised release under  
11 ch. 980.

12 **SECTION 33.** 51.42 (3) (as) 1m. of the statutes is amended to read:

13 51.42 (3) (as) 1m. A county department shall reimburse a mental health  
14 institute at the institute’s daily rate for custody of any person who is ordered by a  
15 court located in that county to be examined at the mental health institute under s.  
16 ~~971.14~~ 971.81 (2) for all days that the person remains in custody at the mental health  
17 institute, beginning 48 hours, not including Saturdays, Sundays, and legal holidays,  
18 after the sheriff and county department receive notice under s. ~~971.14~~ 971.81 (2) (d)  
19 that the examination has been completed.

20 **SECTION 34.** 51.42 (3) (as) 1r. of the statutes is amended to read:

21 51.42 (3) (as) 1r. A county department shall authorize all care of any patient  
22 in a state, local, or private facility under a contractual agreement between the county  
23 department and the facility, unless the county department governs the facility. The  
24 need for inpatient care shall be determined by the program director or designee in  
25 consultation with and upon the recommendation of a licensed physician trained in

1 psychiatry and employed by the county department or its contract agency. In cases  
2 of emergency, a facility under contract with any county department shall charge the  
3 county department having jurisdiction in the county where the patient is found. The  
4 county department shall reimburse the facility for the actual cost of all authorized  
5 care and services less applicable collections under s. 46.036, unless the department  
6 of health services determines that a charge is administratively infeasible, or unless  
7 the department of health services, after individual review, determines that the  
8 charge is not attributable to the cost of basic care and services. Except as provided  
9 in subd. 1m., a county department may not reimburse any state institution or receive  
10 credit for collections for care received in a state institution by nonresidents of this  
11 state, interstate compact clients, transfers under s. 51.35 (3), transfers from  
12 Wisconsin state prisons under s. 51.37 (5) (a), commitments under s. 975.01, 1977  
13 stats., or s. 975.02, 1977 stats., or s. ~~971.14, 971.17~~ 971.81, 971.85, or 975.06 or  
14 admissions under s. 975.17, 1977 stats., or children placed in the guardianship of the  
15 department of children and families under s. 48.427 or 48.43 or under the  
16 supervision of the department of corrections under s. 938.183 or 938.355. The  
17 exclusionary provisions of s. 46.03 (18) do not apply to direct and indirect costs that  
18 are attributable to care and treatment of the client.

19 **SECTION 35.** 51.42 (3) (aw) 1. d. of the statutes is amended to read:

20 51.42 (3) (aw) 1. d. Provide treatment and services that are specified in a  
21 conditional release plan approved by a court for a person who is a county resident and  
22 is conditionally released under s. ~~971.17~~ 971.85 (3) or (4) or that are specified in a  
23 supervised release plan approved by a court under s. 980.06 (2) (c), 1997 stats., s.  
24 980.08 (5), 2003 stats., or s. 980.08 (4) (g). If the county department provides  
25 treatment and services under this subdivision, the department of health services

1 shall, from the appropriation under s. 20.435 (2) (bj), pay the county department for  
2 the costs of the treatment and services.

3 **SECTION 36.** 51.437 (4rm) (a) of the statutes is amended to read:

4 51.437 (4rm) (a) A county department of developmental disabilities services  
5 shall authorize all care of any patient in a state, local, or private facility under a  
6 contractual agreement between the county department of developmental disabilities  
7 services and the facility, unless the county department of developmental disabilities  
8 services governs the facility. The need for inpatient care shall be determined by the  
9 program director or designee in consultation with and upon the recommendation of  
10 a licensed physician trained in psychiatry and employed by the county department  
11 of developmental disabilities services or its contract agency prior to the admission  
12 of a patient to the facility except in the case of emergency services. In cases of  
13 emergency, a facility under contract with any county department of developmental  
14 disabilities services shall charge the county department of developmental  
15 disabilities services having jurisdiction in the county where the individual receiving  
16 care is found. The county department of developmental disabilities services shall  
17 reimburse the facility, except as provided under par. (c), for the actual cost of all  
18 authorized care and services less applicable collections under s. 46.036, unless the  
19 department of health services determines that a charge is administratively  
20 infeasible, or unless the department of health services, after individual review,  
21 determines that the charge is not attributable to the cost of basic care and services.  
22 The exclusionary provisions of s. 46.03 (18) do not apply to direct and indirect costs  
23 which are attributable to care and treatment of the client. County departments of  
24 developmental disabilities services may not reimburse any state institution or  
25 receive credit for collections for care received in a state institution by nonresidents



1 of this state, interstate compact clients, transfers under s. 51.35 (3) (a), commitments  
2 under s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. ~~971.14, 971.17~~ 971.81,  
3 971.85, or 975.06, admissions under s. 975.17, 1977 stats., children placed in the  
4 guardianship of the department of children and families under s. 48.427 or 48.43 or  
5 juveniles under the supervision of the department of corrections under s. 938.183 or  
6 938.355.

7 **SECTION 37.** 51.87 (3) of the statutes is amended to read:

8 51.87 (3) PURCHASE OF SERVICES. A county department under s. 46.23, 51.42,  
9 or 51.437 may contract as provided under this section with public or private agencies  
10 in states bordering on Wisconsin to secure services under this chapter for persons  
11 who receive services through the county department, except that services may not  
12 be secured for persons committed under s. ~~971.14 or 971.17~~ 971.81 or 971.85. Section  
13 46.036 (1) to (6) applies to contracts entered into under this section by county  
14 departments under s. 46.23, 51.42, or 51.437.

15 **SECTION 38.** 55.075 (intro.) of the statutes is amended to read:

16 **55.075 Protective services or protective placement; petition.** (intro.)

17 Except as provided in s. ~~971.14~~ 971.81 (6) (b):

18 **SECTION 39.** 59.34 (2) (a) of the statutes is amended to read:

19 59.34 (2) (a) Notwithstanding s. ~~979.04~~ 968.015 (3) and except as provided in  
20 par. (b), any person holding office under sub. (1) may also serve as an emergency  
21 medical technician, first responder or fire fighter.

22 **SECTION 40.** 66.0113 (3) (e) of the statutes is amended to read:

23 66.0113 (3) (e) A judgment may be entered under par. (d) if the summons or  
24 citation was served as provided under s. ~~968.04 (3) (b) 2.~~ 969.22 (2) or by personal

1 service by a county, town, city, village, town sanitary district or public inland lake  
2 protection and rehabilitation district employee.

3 **SECTION 41.** 66.0114 (1) (a) of the statutes is amended to read:

4 66.0114 (1) (a) An action for violation of an ordinance or bylaw enacted by a city,  
5 village, town sanitary district or public inland lake protection and rehabilitation  
6 district is a civil action. All forfeitures and penalties imposed by an ordinance or  
7 bylaw of the city, village, town sanitary district or public inland lake protection and  
8 rehabilitation district, except as provided in ss. 345.20 to 345.53, may be collected in  
9 an action in the name of the city or village before the municipal court or in an action  
10 in the name of the city, village, town sanitary district or public inland lake protection  
11 and rehabilitation district before a court of record. If the action is in municipal court,  
12 the procedures under ch. 800 apply and the procedures under this section do not  
13 apply. If the action is in a court of record, it shall be commenced by warrant or  
14 summons under s. ~~968.04~~ 969.20 or, if applicable, by citation under s. 778.25 or  
15 778.26. A law enforcement officer may arrest the offender in all cases without  
16 warrant under s. ~~968.07~~ 969.16. If the action is commenced by warrant the affidavit  
17 may be the complaint. The affidavit or complaint is sufficient if it alleges that the  
18 defendant has violated an ordinance or bylaw, specifying the ordinance or bylaw by  
19 section, chapter, title or otherwise with sufficient plainness to identify the ordinance  
20 or bylaw. The judge may release a defendant without a cash deposit or may permit  
21 him or her to execute an unsecured appearance bond upon arrest. In arrests without  
22 a warrant or summons a statement on the records of the court of the offense charged  
23 is the complaint unless the court directs that a formal complaint be issued. In all  
24 actions under this paragraph the defendant's plea shall be guilty, not guilty or no  
25 contest and shall be entered as not guilty on failure to plead. A plea of not guilty on

1 failure to plead puts all matters in the case at issue, any other provision of law  
2 notwithstanding. The defendant may enter a not guilty plea by certified mail.

3 **SECTION 42.** 66.0139 (4) and (5) of the statutes are amended to read:

4 66.0139 (4) Except as provided in s. ~~968.20 (3)~~ 175.27 (1), a 1st class city shall  
5 dispose of abandoned or unclaimed dangerous weapons or ammunition without a  
6 public auction 12 months after taking possession of them if the owner has not  
7 requested their return. Disposal procedures shall be established by ordinance or  
8 resolution and may include provisions authorizing an attempt to return to the  
9 rightful owner any dangerous weapons or ammunition which appear to be stolen or  
10 are reported stolen. If enacted, a disposal procedure shall include a presumption that  
11 if the dangerous weapons or ammunition appear to be or are reported stolen an  
12 attempt will be made to return the dangerous weapons or ammunition to the rightful  
13 owner. The dangerous weapons or ammunition are subject to sub. (5).

14 (5) A political subdivision may retain or dispose of any abandoned, unclaimed,  
15 or seized dangerous weapon or ammunition only under s. ~~968.20~~ ss. 175.27 and  
16 968.625.

17 **SECTION 43.** 69.18 (2) (f) 3. of the statutes is amended to read:

18 69.18 (2) (f) 3. A person signing a medical certification under par. (b), (c), or (d)  
19 shall note on the certificate if the cause of death of the subject of the certificate is  
20 unknown, or undetermined or if the determination of the cause of death is pending  
21 and shall submit to the state registrar within 30 days after the pronouncement of  
22 death an amendment to the medical certification which satisfies the requirements  
23 of subd. 1., except that such amendment may exclude information which is  
24 unavailable pending the determination of an inquest under s. ~~979.04~~ 968.015.

25 **SECTION 44.** 71.78 (4) (n) of the statutes is amended to read:

1           71.78 (4) (n) The state public defender and the department of administration  
2 for the purpose of collecting payment ordered under s. 48.275 (2), 757.66, 973.06 (1)  
3 (e), or 977.076 (1).

4           **SECTION 45.** 77.61 (12) (b) of the statutes is amended to read:

5           77.61 (12) (b) The immunity provided under par. (a) is subject to the  
6 restrictions under s. ~~972.085~~ 967.18.

7           **SECTION 46.** 93.17 (2) of the statutes is amended to read:

8           93.17 (2) The immunity provided under sub. (1) is subject to the restrictions  
9 under s. ~~972.085~~ 967.18.

10          **SECTION 47.** 102.13 (5) of the statutes, as affected by 2015 Wisconsin Act 55,  
11 is amended to read:

12          102.13 (5) The department or the division may refuse to receive testimony as  
13 to conditions determined from an autopsy if it appears that the party offering the  
14 testimony had procured the autopsy and had failed to make reasonable effort to  
15 notify at least one party in adverse interest or the department or the division at least  
16 12 hours before the autopsy of the time and place at which the autopsy would be  
17 performed, or that the autopsy was performed by or at the direction of the coroner  
18 or medical examiner or at the direction of the district attorney for purposes not  
19 authorized under subch. I of ch. 968 or under ch. 979. The department or the division  
20 may withhold findings until an autopsy is held in accordance with its directions.

21          **SECTION 48.** 103.005 (20) of the statutes is amended to read:

22          103.005 (20) The department shall establish a procedure for the department  
23 to provide to the state public defender and the department of administration any  
24 information that the department may have concerning an individual's wages to

1 assist the state public defender and the department of administration in collecting  
2 payment ordered under s. 48.275 (2), 757.66, 973.06 (1) (e), or 977.076 ~~(1)~~.

3 **SECTION 49.** 103.10 (1m) (b) 1. of the statutes is amended to read:

4 103.10 **(1m)** (b) 1. "Domestic abuse" has the meaning given in s. ~~968.075~~ 969.27  
5 (1) (a).

6 **SECTION 50.** 110.001 (1m) of the statutes is amended to read:

7 110.001 **(1m)** "Law enforcement officer" has the meaning given in s. ~~967.02 (5)~~  
8 967.025 (13).

9 **SECTION 51.** 110.07 (2m) of the statutes is amended to read:

10 110.07 **(2m)** In addition to the primary powers granted by subs. (1) and (2), any  
11 officer of the state traffic patrol shall have the powers of a peace officer under s. 59.28,  
12 except that the officer shall have the arrest powers of a law enforcement officer under  
13 s. ~~968.07~~ 969.16, regardless of whether the violation is punishable by forfeiture or  
14 criminal penalty. A state traffic officer shall at all times be available as a witness for  
15 the state but may not conduct investigations for crimes under chs. 939 to 948 other  
16 than crimes relating to the use or operation of vehicles. The primary duty of a state  
17 traffic officer shall be the enforcement of chs. 340 to 351 or of any other law relating  
18 to the use or operation of vehicles upon the highway. No state traffic officer shall be  
19 used in or take part in any dispute or controversy between employer or employee  
20 concerning wages, hours, labor or working conditions; nor shall any such officer be  
21 required to serve civil process. The department may assign state traffic officers to  
22 safeguard state officers or other persons.

23 **SECTION 52.** 110.07 (4) of the statutes is amended to read:

24 110.07 **(4)** In addition to the primary powers granted by sub. (3), any inspector  
25 shall have the powers of a peace officer under s. 59.28, except that the inspector shall

1 have the arrest powers of a law enforcement officer under s. ~~968.07~~ 969.16,  
2 regardless of whether the violation is punishable by forfeiture or criminal penalty.  
3 An inspector shall at all times be available as a witness for the state but may not  
4 conduct investigations for crimes under chs. 939 to 948 other than crimes relating  
5 to the use or operation of vehicles. The primary duty of an inspector shall be the  
6 enforcement of the provisions specified in sub. (3). No inspector may be used in or  
7 take part in any dispute or controversy between employer or employee concerning  
8 wages, hours, labor or working conditions; nor may an inspector be required to serve  
9 civil process. The department may assign inspectors to safeguard state officers or  
10 other persons.

11 **SECTION 53.** 111.07 (2) (b) 2. of the statutes is amended to read:

12 111.07 (2) (b) 2. The immunity provided under subd. 1. is subject to the  
13 restrictions under s. ~~972.085~~ 967.18.

14 **SECTION 54.** 128.16 (2) of the statutes is amended to read:

15 128.16 (2) The immunity provided under sub. (1) is subject to the restrictions  
16 under s. ~~972.085~~ 967.18.

17 **SECTION 55.** 133.15 (2) of the statutes is amended to read:

18 133.15 (2) The immunity provided under sub. (1) is subject to the restrictions  
19 under s. ~~972.085~~ 967.18.

20 **SECTION 56.** 134.43 (3) of the statutes is amended to read:

21 134.43 (3) Any person who is the victim of an intrusion of privacy under this  
22 section is entitled to relief under s. 995.50 (1) and (4) unless the act is permissible  
23 under ~~ss. 968.27 to 968.373~~ subch. IV of ch. 968.

24 **SECTION 57.** 139.20 (2) of the statutes is amended to read:

1           139.20 (2) The immunity provided under sub. (1) is subject to the restrictions  
2 under s. ~~972.085~~ 967.18.

3           **SECTION 58.** 139.39 (5) (b) of the statutes is amended to read:

4           139.39 (5) (b) The immunity provided under par. (a) is subject to the restrictions  
5 under s. ~~972.085~~ 967.18.

6           **SECTION 59.** 146.81 (4) of the statutes is amended to read:

7           146.81 (4) “Patient health care records” means all records related to the health  
8 of a patient prepared by or under the supervision of a health care provider; and all  
9 records made by an ambulance service provider, as defined in s. 256.01 (3), an  
10 emergency medical technician, as defined in s. 256.01 (5), or a first responder, as  
11 defined in s. 256.01 (9), in administering emergency care procedures to and handling  
12 and transporting sick, disabled, or injured individuals. “Patient health care records”  
13 includes billing statements and invoices for treatment or services provided by a  
14 health care provider and includes health summary forms prepared under s. 302.388  
15 (2). “Patient health care records” does not include those records subject to s. 51.30,  
16 reports collected under s. 69.186, records of tests administered under s. 252.15 (5g)  
17 or (5j), 343.305, 938.296 (4) or (5), or ~~968.38~~ 968.725 (4) or (5), records related to sales  
18 of pseudoephedrine products, as defined in s. 961.01 (20c), that are maintained by  
19 pharmacies under s. 961.235, fetal monitor tracings, as defined under s. 146.817 (1),  
20 or a pupil’s physical health records maintained by a school under s. 118.125.

21           **SECTION 60.** 146.82 (2) (c) of the statutes is amended to read:

22           146.82 (2) (c) Notwithstanding sub. (1), patient health care records shall be  
23 released to appropriate examiners and facilities in accordance with s. ~~971.17~~ 971.85  
24 (2) (e), (4) (c), and (7) (c). The recipient of any information from the records shall keep  
25 the information confidential except as necessary to comply with s. ~~971.17~~ 971.85.

1           **SECTION 61.** 154.30 (3) (a) 2. of the statutes is amended to read:

2           154.30 (3) (a) 2. Any power or duty of a coroner, medical examiner, or other  
3 physician licensed to perform autopsies with respect to the reporting of certain  
4 deaths, and the performance of autopsies, under ch. 979 and with respect to inquests  
5 under subch. I of ch. 979 968.

6           **SECTION 62.** 165.76 (1) (bm) of the statutes, as affected by 2013 Wisconsin Act  
7 20, is amended to read:

8           165.76 (1) (bm) Has been found not guilty or not responsible by reason of  
9 mental disease or defect on or after August 12, 1993, and committed under s. 51.20  
10 or ~~971.17~~ 971.85 for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
11 or 948.085.

12           **SECTION 63.** 165.76 (1) (br) of the statutes, as affected by 2013 Wisconsin Act  
13 20, is amended to read:

14           165.76 (1) (br) Has been found not guilty or not responsible by reason of mental  
15 disease or defect on or after January 1, 2000, and committed under s. 51.20 or ~~971.17~~  
16 971.85, for any felony or a violation of s. 165.765 (1), 2011 stats., or of s. 940.225 (3m),  
17 944.20, 946.52, or 948.10 (1) (b).

18           **SECTION 64.** 165.76 (1) (g) of the statutes, as affected by 2013 Wisconsin Act 20,  
19 is amended to read:

20           165.76 (1) (g) Has been required by a court under s. 51.20 (13) (cr), 938.21 (1m),  
21 938.30 (2m), 938.34 (15), ~~970.02 (8), 971.17~~ 971.028 (7), 971.85 (1m) (a), 973.047, or  
22 980.063 to provide a biological specimen to the state crime laboratories for  
23 deoxyribonucleic acid analysis.

24           **SECTION 65.** 165.76 (1m) of the statutes, as affected by 2013 Wisconsin Act 20,  
25 is amended to read:



1           165.76 (1m) If a person is required to provide a biological specimen under sub.  
2 (1) (a) to (gm) and the department of justice does not have the data obtained from  
3 analysis of a biological specimen from the person that the department is required to  
4 maintain in the data bank under s. 165.77 (3), the department may require the  
5 person to provide a biological specimen, regardless of whether the person previously  
6 provided a biological specimen under this section or s. 51.20 (13) (cr), 165.84 (7),  
7 938.21 (1m), 938.30 (2m), 938.34 (15), ~~970.02 (8), 971.17 971.028 (7), 971.85 (1m) (a),~~  
8 973.047, or 980.063. The department of justice, the department of corrections, a  
9 district attorney, or a county sheriff, shall notify any person whom the department  
10 of justice requires to provide a biological specimen under this subsection.

11           **SECTION 66.** 165.76 (4) (a) and (b) of the statutes, as created by 2013 Wisconsin  
12 Act 20, are amended to read:

13           165.76 (4) (a) Establish procedures and time limits for obtaining and  
14 submitting biological specimens under this section and ss. 51.20 (13) (cr), 165.84 (7),  
15 938.21 (1m), 938.30 (2m), 938.34 (15), ~~970.02 (8), 971.17 971.028 (7), 971.85 (1m) (a),~~  
16 973.047, and 980.063.

17           (b) Specify whether an individual who is required under this section or s. 51.20  
18 (13) (cr), 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), ~~970.02 (8), 971.17 971.028~~  
19 ~~(7), 971.85 (1m) (a),~~ 973.047, or 980.063 to provide a biological specimen for  
20 deoxyribonucleic acid analysis must provide a new biological specimen if the crime  
21 laboratories already have a biological specimen from the individual or if data  
22 obtained from deoxyribonucleic acid analysis of the individual's biological specimen  
23 are already included in the data bank under s. 165.77 (3).

24           **SECTION 67.** 165.76 (4) (c) of the statutes, as affected by 2013 Wisconsin Act 214,  
25 is amended to read:

1           165.76 (4) (c) Allow a biological specimen, or data obtained from analysis of a  
2 biological specimen, obtained under this section, under s. 51.20 (13) (cr), 938.21 (1m),  
3 938.30 (2m), 938.34 (15), ~~970.02 (8)~~, ~~971.17~~ 971.028 (7), 971.85 (1m) (a), 973.047, or  
4 980.063, or, if the specimen is required to be analyzed under s. 165.84 (7) (am) 1m.,  
5 under s. 165.84 (7) (ah), to be submitted for inclusion in an index established under  
6 42 USC 14132 (a) or in another national index system.

7           **SECTION 68.** 165.765 (1m) of the statutes, as created by 2013 Wisconsin Act 20,  
8 is amended to read:

9           165.765 (1m) A law enforcement officer; a jail officer; a tribal officer; a  
10 correctional officer; a probation, extended supervision, or parole officer; or an  
11 employee of the department of health services may use reasonable force to obtain a  
12 biological specimen from a person who intentionally refuses to provide a biological  
13 specimen that is required under s. 165.76 (1), 165.84 (7), 938.21 (1m), 938.30 (2m),  
14 938.34 (15), or ~~970.02 (8)~~ 971.028 (7).

15           **SECTION 69.** 165.765 (2) (a) 1. of the statutes, as affected by 2013 Wisconsin Act  
16 20, is amended to read:

17           165.765 (2) (a) 1. Any physician, registered nurse, medical technologist,  
18 physician assistant, or person acting under the direction of a physician who obtains  
19 a biological specimen under s. 51.20 (13) (cr), 165.76, 165.84 (7), 938.21 (1m), 938.30  
20 (2m), 938.34 (15), ~~970.02 (8)~~, ~~971.17~~ 971.028 (7), 971.85 (1m) (a), 973.047, or 980.063  
21 is immune from any civil or criminal liability for the act, except for civil liability for  
22 negligence in the performance of the act.

23           **SECTION 70.** 165.77 (2) (b) of the statutes, as affected by 2013 Wisconsin Act 20,  
24 is amended to read:

1           165.77 (2) (b) Paragraph (a) does not apply to specimens received under s. 51.20  
2           (13) (cr), 165.76, 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), 970.02 (8), ~~971.17~~  
3           971.028 (7), 971.85 (1m) (a), 973.047, or 980.063.

4           **SECTION 71.** 165.77 (2m) (c) of the statutes, as affected by 2013 Wisconsin Act  
5           20, is amended to read:

6           165.77 (2m) (c) Paragraph (b) does not apply to specimens received under s.  
7           51.20 (13) (cr), 165.76, 165.84 (7), 938.21 (1m), 938.30 (2m), 938.34 (15), ~~970.02 (8),~~  
8           ~~971.17~~ 971.028 (7), 971.85 (1m) (a), 973.047, or 980.063.

9           **SECTION 72.** 165.77 (3) of the statutes, as affected by 2013 Wisconsin Act 214,  
10          is amended to read:

11          165.77 (3) If the laboratories receive a human biological specimen under s.  
12          51.20 (13) (cr), 165.76, 938.21 (1m), 938.30 (2m), 938.34 (15), ~~970.02 (8), 971.17~~  
13          971.028 (7), 971.85 (1m) (a), 971.028 (7), 973.047, or 980.063, the laboratories shall  
14          analyze the deoxyribonucleic acid in the specimen. If the laboratories receive a  
15          human biological specimen under s. 165.84 (7) (ah), the laboratories shall analyze  
16          the deoxyribonucleic acid in the specimen as provided under s. 165.84 (7) (am) 1m.  
17          The laboratories shall maintain a data bank based on data obtained from  
18          deoxyribonucleic acid analysis of those specimens. The laboratories may compare  
19          the data obtained from one specimen with the data obtained from other specimens.  
20          The laboratories may make data obtained from any analysis and comparison  
21          available to law enforcement agencies in connection with criminal or delinquency  
22          investigations and, upon request, to any prosecutor, defense attorney or subject of  
23          the data. The data may be used in criminal and delinquency actions and proceedings.

24          **SECTION 73.** 165.77 (4) (am) 1. of the statutes, as created by 2013 Wisconsin Act  
25          20, is amended to read:

1           165.77 (4) (am) 1. If the person was required to submit a biological specimen  
2 under s. 51.20 (13) (cr), 165.76, 938.34 (15), ~~971.17~~ 971.85 (1m) (a), 973.047, or  
3 980.063, all convictions, findings, or adjudications for which the person was required  
4 to submit a biological specimen under s. 51.20 (13) (cr), 165.76, 938.34 (15), ~~971.17~~  
5 971.85 (1m) (a), 973.047, or 980.063 have been reversed, set aside, or vacated.

6           **SECTION 74.** 165.77 (4) (am) 2. (intro.) of the statutes, as created by 2013  
7 Wisconsin Act 20, is amended to read:

8           165.77 (4) (am) 2. (intro.) If the person was required to provide a biological  
9 specimen under s. 165.84 (7) in connection with an arrest or under s. ~~970.02 (8)~~  
10 971.028 (7), one of the following applies:

11           **SECTION 75.** 165.77 (4) (am) 2. a., b. and d. of the statutes, as affected by 2013  
12 Wisconsin Act 214, are amended to read:

13           165.77 (4) (am) 2. a. All charges for which the person was required to provide  
14 a biological specimen under s. 165.84 (7) or ~~970.02 (8)~~ 971.028 (7) have been  
15 dismissed.

16           b. The trial court reached final disposition for all charges for which the person  
17 was required to provide a biological specimen under s. 165.84 (7) or ~~970.02 (8)~~  
18 971.028 (7), and the person was not adjudged guilty of a violent crime in connection  
19 with any such charge.

20           d. The person was adjudged guilty of a violent crime in connection with any  
21 charge for which the person was required to provide a biological specimen under s.  
22 165.84 (7) or ~~970.02 (8)~~ 971.028 (7), and all such convictions for a violent crime have  
23 been reversed, set aside, or vacated.

24           **SECTION 76.** 165.79 (1) of the statutes is amended to read:

1           165.79 (1) Evidence, information, and analyses of evidence obtained from law  
2 enforcement officers by the laboratories is privileged and not available to persons  
3 other than law enforcement officers nor is the defendant entitled to an inspection of  
4 information and evidence submitted to the laboratories by the state or of a  
5 laboratory's findings, or to examine laboratory personnel as witnesses concerning  
6 the same, prior to trial, except to the extent that the same is used by the state at a  
7 preliminary hearing and except as provided in s. ~~971.23~~ 971.43. Upon request of a  
8 defendant in a felony action, approved by the presiding judge, the laboratories shall  
9 conduct analyses of evidence on behalf of the defendant. No prosecuting officer is  
10 entitled to an inspection of information and evidence submitted to the laboratories  
11 by the defendant, or of a laboratory's findings, or to examine laboratory personnel as  
12 witnesses concerning the same, prior to trial, except to the extent that the same is  
13 used by the accused at a preliminary hearing and except as provided in s. ~~971.23~~  
14 971.43. Employees who made examinations or analyses of evidence shall attend the  
15 criminal trial as witnesses, without subpoena, upon reasonable written notice from  
16 either party requesting the attendance.

17           **SECTION 77.** 165.81 (1) of the statutes is amended to read:

18           165.81 (1) Whenever the department is informed by the submitting officer or  
19 agency that physical evidence in the possession of the laboratories is no longer  
20 needed the department may, except as provided in sub. (3) or unless otherwise  
21 provided by law, destroy the evidence, retain it in the laboratories, return it to the  
22 submitting officer or agency, or turn it over to the University of Wisconsin upon the  
23 request of the head of any department of the University of Wisconsin. If the  
24 department returns the evidence to the submitting officer or agency, any action  
25 taken by the officer or agency with respect to the evidence shall be in accordance with

1 ~~s. 968.20 ss. 175.27 and 968.625.~~ Except as provided in sub. (3), whenever the  
2 department receives information from which it appears probable that the evidence  
3 is no longer needed, the department may give written notice to the submitting agency  
4 and the appropriate district attorney, by registered mail, of the intention to dispose  
5 of the evidence. If no objection is received within 20 days after the notice was mailed,  
6 it may dispose of the evidence.

7 **SECTION 78.** 165.81 (3) (a) 1. and 2., (b) and (f) of the statutes are amended to  
8 read:

9 165.81 (3) (a) 1. “Custody” has the meaning given in s. ~~968.205~~ 968.645 (1) (a).

10 2. “Discharge date” has the meaning given in s. ~~968.205~~ 968.645 (1) (b).

11 (b) Except as provided in par. (c), if physical evidence that is in the possession  
12 of the laboratories includes any biological material that was collected in connection  
13 with a criminal investigation that resulted in a criminal conviction, a delinquency  
14 adjudication, or commitment under s. ~~971.17~~ 971.85 or 980.06 ~~and the biological~~  
15 ~~material is from a victim of the offense that was the subject of the criminal~~  
16 ~~investigation or may reasonably be used to incriminate or exculpate any person for~~  
17 ~~the offense~~, the laboratories shall preserve the physical evidence until every person  
18 in custody as a result of the conviction, adjudication, or commitment has reached his  
19 or her discharge date.

20 (f) Unless otherwise provided in a court order issued under s. 974.07 (9) (a) or  
21 (b) or (10) (a) 5., nothing in this subsection prohibits the laboratories from returning  
22 evidence that must be preserved under par. (b) or (e) to the agency that submitted  
23 the evidence to the laboratories. If the laboratories return evidence that must be  
24 preserved under par. (b) or (e) to a submitting agency, any action taken by the agency  
25 with respect to the evidence shall be in accordance with s. ~~968.205~~ 968.645.