



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0838/1
CMH:emw:jf

2015 ASSEMBLY BILL 35

February 17, 2015 – Introduced by Representatives KRUG, VANDERMEER, KNODL, JACQUE, TITTL, KAHL, THIESFELDT, TRANEL and BERCEAU, cosponsored by Senators MOULTON, PETROWSKI, LASSA and L. TAYLOR. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to renumber and amend* 175.51; *to amend* 165.785 (1) (b) 2., 165.785
2 (2), 165.785 (2m) (a) 1., 165.785 (2m) (b) and 175.51 (title); and *to create*
3 165.785 (1) (b) 3., 165.785 (2r) and 175.51 (2m) of the statutes; **relating to:**
4 alerts for hit-and-run incidents.

Analysis by the Legislative Reference Bureau

The Department of Justice (DOJ) currently administers an integrated crime alert network and may use the network to provide to state agencies, law enforcement, or the public information regarding criminal activity, crime prevention, and missing or endangered persons. This bill requires DOJ to allow law enforcement agencies to use the network to disseminate reports of certain hit-and-run incidents to entities that DOJ identifies as persons who can make public such reports. The bill also requires a law enforcement agency that receives a report of a hit-and-run incident to use the network to disseminate the report if: 1) a person has been killed or has suffered great bodily harm; 2) additional information is available about the incident that could identify the person or vehicle involved; and 3) an alert could help avert further harm or could aid in apprehending the person involved.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 165.785 (1) (b) 2. of the statutes is amended to read:

2 165.785 (1) (b) 2. The department shall ensure that a law enforcement agency
3 may access the network under par. (a) to disseminate a report under s. 175.51 (1m)
4 to persons on the list maintained under sub. (2m) (c).

5 **SECTION 2.** 165.785 (1) (b) 3. of the statutes is created to read:

6 165.785 (1) (b) 3. The department shall ensure that a law enforcement agency
7 may access the network under par. (a) to disseminate a report under s. 175.51 (2m)
8 to persons on the list maintained under sub. (2r).

9 **SECTION 3.** 165.785 (2) of the statutes is amended to read:

10 165.785 (2) The department may charge a fee to members of the private sector
11 who receive information under sub. (1) (b) 1. The department may not charge a fee
12 to any person who receives information under sub. (1) (b) 2. or 3.

13 **SECTION 4.** 165.785 (2m) (a) 1. of the statutes is amended to read:

14 165.785 (2m) (a) 1. The department shall provide a form for reports of missing
15 adults at risk under s. 175.51 (1m) that law enforcement agencies can access through
16 the integrated crime alert network.

17 **SECTION 5.** 165.785 (2m) (b) of the statutes is amended to read:

18 165.785 (2m) (b) The department shall work directly with persons on the list
19 maintained under par. (c) and with government agencies, broadcasters, and public
20 and private organizations with missions focused on adults at risk to develop criteria
21 for law enforcement officers to use to identify reports of missing adults at risk that

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1 are appropriate to disseminate under s. 175.51 (1m), to determine the most effective
2 methods and guidelines for the persons on the list maintained under par. (c) to use
3 to broadcast or make public reports of missing adults at risk, and to receive feedback
4 on the forms provided under par. (a) 1. and on the list maintained under par. (c).

5 **SECTION 6.** 165.785 (2r) of the statutes is created to read:

6 165.785 **(2r)** The department shall maintain a list of persons that can
7 effectively broadcast or make public reports disseminated under s. 175.51 (2m). The
8 department shall ensure that the list includes persons engaged in broadcasting or
9 outdoor advertising.

10 **SECTION 7.** 175.51 (title) of the statutes is amended to read:

11 **175.51 (title) Reports of missing adults at risk and of hit-and-run**
12 **incidents.**

13 **SECTION 8.** 175.51 of the statutes is renumbered 175.51 (1m), and 175.51 (1m)
14 (a), as renumbered, is amended to read:

15 175.51 **(1m)** (a) In this ~~section~~ subsection, “adult at risk” means an adult who
16 has a developmental disability, who suffers from Alzheimer’s disease or dementia,
17 or who suffers from or could, without access to medication, suffer from cognitive
18 impairment if the impairment would likely render the adult incapable of getting to
19 a familiar location without assistance.

20 **SECTION 9.** 175.51 (2m) of the statutes is created to read:

21 175.51 **(2m)** If a law enforcement agency receives a report of a violation of s.
22 346.67 or 346.70 (1), the law enforcement agency shall disseminate the report
23 through the integrated crime alert network if the law enforcement agency
24 determines that all of the following conditions are met:

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1 (a) A person has been killed or has suffered great bodily harm, as defined in s.
2 939.22 (14), due to the accident that is related to the violation.

3 (b) The law enforcement agency has additional information that could help
4 identify the person who has allegedly committed the violation or the vehicle involved
5 in the violation.

6 (c) An alert could help avert further harm or aid in apprehending the person
7 who allegedly committed the violation.

8 **SECTION 10. Initial applicability.**

9 (1) This act first applies to reports of violations received on the effective date
10 of this subsection.

11 **SECTION 11. Effective date.**

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

14 (END)