

**2017 DRAFTING REQUEST**

**Assembly Amendment (AA-AB570)**

For: **John Spiros (608) 266-1182** Drafter: **mjohns**  
By: Secondary Drafters:  
Date: **2/2/2018** May Contact:  
Same as LRB: **a1888**

Submit via email: **YES**  
Requester's email: **Rep.Spiros@legis.wisconsin.gov**  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Mental health treatment records

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**Instructions:**

Create a companion to LRBa1888 for AB570

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mjohns 2/2/2018	kmochal 2/2/2018	dwalker 2/2/2018	dwalker 2/2/2018	

FE Sent For: **<END>**



State of Wisconsin  
2017 - 2018 LEGISLATURE

DWE 2/2/18

a1972/1  
LRBa1888/1

MLJ:ahe/emw/klm

no other  
changes!

**SENATE AMENDMENT ,**  
**TO SENATE BILL 492**

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 3, line 5: delete “any” and substitute “an”.
- 3 **2.** Page 3, line 5: after “articulated” insert “theory of”.
- 4 **3.** Page 3, line 5: delete the material beginning with “supports” and ending  
5 with “defense” on line 6 and substitute “is necessary to a determination of guilt or  
6 innocence”.
- 7 **4.** Page 3, line 11: delete “45” and substitute “60”.
- 8 **5.** Page 3, line 14: before “good” insert “fact-specific”.
- 9 **6.** Page 3, line 16: delete “indicates” and substitute “demonstrates”.
- 10 **7.** Page 3, line 19: delete “That there” and substitute “There”.
- 11 **8.** Page 3, line 21: delete “That the” and substitute “The”.
- 12 **9.** Page 3, line 21: delete “any” and substitute “an”.

- 1           **10.** Page 3, line 22: after “articulated” insert “theory of”.
- 2           **11.** Page 3, line 23: delete “That the” and substitute “The”.
- 3           **12.** Page 4, line 1: delete “That the” and substitute “The”.
- 4           **13.** Page 4, line 3: delete “The following offers of proof alone” and substitute  
5 “Each of the following offers of proof, considered alone,”.
- 6           **14.** Page 4, line 4: delete “his or her” and substitute “the”.
- 7           **15.** Page 4, line 6: delete “That the” and substitute “The”.
- 8           **16.** Page 4, line 7: delete “That the” and substitute “The”.
- 9           **17.** Page 4, line 9: delete “That the” and substitute “The”.
- 10          **18.** Page 4, line 10: after that line insert:  
11           “4. The crime victim may have made an inconsistent statement about the  
12 offense.”.
- 13          **19.** Page 4, line 14: delete “That a” and substitute “A”.
- 14          **20.** Page 4, line 16: delete “That he” and substitute “He”.
- 15          **21.** Page 4, line 18: delete “That he” and substitute “He”.
- 16          **22.** Page 4, line 20: delete “That by” and substitute “By”.
- 17          **23.** Page 5, line 7: delete “counsel and” and substitute “counsel. The court”.
- 18          **24.** Page 5, line 7: after “request” insert “regarding access to and disclosure  
19 of the privileged mental health treatment records”.
- 20          **25.** Page 5, line 13: after “child” insert “regarding access to and disclosure of  
21 the privileged mental health treatment records”.
- 22          **26.** Page 5, line 16: delete “by a preponderance of the evidence”.

- 1           **27.** Page 6, line 1: delete “to any” and substitute “to an”.
- 2           **28.** Page 6, line 2: after “articulated” insert “theory of”.
- 3           **29.** Page 6, line 5: delete “by clear and convincing evidence”.
- 4           **30.** Page 6, line 6: delete “That the” and substitute “The”.
- 5           **31.** Page 6, line 7: delete “any” and substitute “an”.
- 6           **32.** Page 6, line 7: after “articulated” insert “theory of”.
- 7           **33.** Page 6, line 7: delete “that”.
- 8           **34.** Page 6, line 9: delete “That the” and substitute “The”.
- 9           **35.** Page 6, line 9: after “exculpatory” insert “because it is necessary to the  
10       determination of guilt or innocence”.
- 11          **36.** Page 7, line 11: delete “any” and substitute “an”.
- 12          **37.** Page 7, line 11: after “articulated” insert “theory of”.
- 13          **38.** Page 8, line 7: after “inform the jury” insert “immediately following the  
14       testimony of the crime victim and before jury deliberations”.
- 15          **39.** Page 8, line 7: after that line insert:  
16       “a. The defendant filed a motion for discovery of mental health treatment  
17       records that met the requirements for an in camera review.”
- 18          **40.** Page 8, line 8: delete “a. That the” and substitute “b. The”.
- 19          **41.** Page 8, line 10: delete “b. That the” and substitute “c. The”.
- 20          **42.** Page 8, line 12: delete “s. 905.11 or 905.12” and substitute “ss. 905.11 to  
21       905.13”.

