

2017 DRAFTING REQUEST

Bill

For: **David Crowley (608) 266-5580** Drafter: **emueller**
 By: **Tim** Secondary Drafters:
 Date: **4/11/2017** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Crowley@legis.wisconsin.gov**
 Carbon copy (CC) to: **eric.mueller@legis.wisconsin.gov**
zachary.wyatt@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Motor vehicle traffic stop information

Instructions:

See attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 4/14/2017	jdyer 4/17/2017			
/P1	emueller 4/24/2017		mbarman 4/17/2017		State S&L
/P2	emueller 5/23/2017	jdyer 4/25/2017	mbarman 4/25/2017		State S&L
/P3	emueller 11/20/2017	jdyer 5/25/2017	lparisi 5/25/2017		State S&L
/P4	emueller	jdyer	dwalker		State

*per
uvm
3-5-18
acc disposed of jacket
resent*

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
.1	2/5/2018	11/21/2017	11/21/2017		
		kfollett 2/5/2018	lparisi 2/5/2018	lparisi 2/5/2018	State

FE Sent For:

*2
at
intro.*

<END>



11/13 Rep. Crowley

- have DOT collect info

- when driver lic. info accessed
at traffic stop DOT pulls
info

Mueller, Eric

From: Hanaman, Cathlene
Sent: Tuesday, April 11, 2017 1:54 PM
To: Wyatt, Zachary; Mueller, Eric
Subject: FW: Bill Draft

From: Schabo, Timothy
Sent: Tuesday, April 11, 2017 1:53 PM
To: Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>
Cc: Johns, Melinda <Melinda.Johns@legis.wisconsin.gov>
Subject: Bill Draft

Cathlene,
Representative Crowley is also looking for a bill draft to collect data on police stops. It should be mirrored after the data collection that was taking place until the repeal in 2011. All police stops should record zip code, gender, and ethnicity of drivers and passengers in vehicle stops. Thank you so much for your help with this. (ps p drafts on both this bill and the (Criminal Record Reform Act).

Thank You,

Timothy

Timothy Schabo
Legislative Aide
Office of Rep. David Crowley
O: (608) 266-5580 C: (920) 915-0479
timothy.schabo@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2971/P1dn
EVM:jld

April 17, 2017

ATTN: Representative David Crowley

This draft recreates part of the vehicle stop information program (program) eliminated by 2011 Wisconsin Act 29. There are, however, several differences:

1. Prior to the program's elimination, the program was administered by the Office of Justice Assistance (OJA) within DOA. OJA no longer exists, but many of the functions of this former office were transferred to DOJ. This draft recreates the program in DOJ. Please let me know if you want the program administered by another agency.
2. Before repeal, the program was funded by two appropriation accounts, neither of which appeared to have any amount appropriated. Do you want to include a special appropriation provision for this program? If no additional appropriation provision is added, s. 20.455 (1) (a), stats., is likely sufficiently broad to cover the expenses of this program without any change to the text of the appropriation. If you want this program funded via an existing appropriation, is there an additional amount you want appropriated?
3. 2011 Wisconsin Act 29 repealed a requirement that law enforcement personnel receive training concerning cultural diversity and avoiding racial profiling. Since that repeal, the structure of the law enforcement training standards has significantly changed such that specific areas of training are no longer specified in the statutes. Do you want a specific provision requiring training on cultural diversity and avoiding racial profiling included in this draft?

Also, this draft recreates the nonstatutory provision at 2009 Wisconsin Act 28, section 9101 (12x). Please let me know if this provision is not necessary.

Eric V. Mueller
Senior Legislative Attorney
(608) 261-7032
eric.mueller@legis.wisconsin.gov

WISCONSIN LEGISLATIVE REFERENCE BUREAU

Information Services 608-266-0341—Legal Services 608-266-3561



Tim @ Rep. Crowley

2971 / P2

- add racial parity training
- remove AS



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

INSERT

4/25/17

✓ law enforcement training

4

Regen

1

AN ACT to create 165.847 and 349.027 of the statutes; **relating to:** collection and

2

analysis of motor vehicle traffic stop information and granting rule-making

3

authority.

Analysis by the Legislative Reference Bureau

Under this bill, law enforcement officers must collect at each motor vehicle traffic stop all information specified by rule promulgated by the Department of Justice. This information must then be submitted by the law enforcement agency to DOJ. DOJ must analyze this information to determine whether the number of motor vehicle stops and searches involving racial minorities is disproportionate compared to nonminorities.

This bill also requires DOJ to submit a report to the Joint Committee on Finance that includes certain information related to the development of a traffic stop information collection system. System development may not begin prior to the approval of the report by JCF.

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:

4

SECTION 1. 165.847 of the statutes is created to read:

The Law Enforcement Standards Board to establish criteria for annual training on avoiding racial profiling in motor vehicle stops

1 **165.847 Motor vehicle traffic stop information.** (1) The department shall
2 analyze the information submitted to it by law enforcement agencies under s.
3 349.027 (2) to determine whether the number of motor vehicle stops and searches
4 involving motor vehicles operated or occupied by members of a racial minority is
5 disproportionate to the number of motor vehicle stops and searches involving motor
6 vehicles operated or occupied solely by persons who are not members of a racial
7 minority.

8 (2) The department shall promulgate rules relating to all of the following:

9 (a) The types of information that law enforcement agencies must collect
10 relating to traffic stops and the circumstances under which this information must be
11 collected. The rule under this paragraph shall require the collection of the zip code,
12 gender, and ethnicity of the operator and each passenger of the stopped motor vehicle
13 for each motor vehicle stop.

14 (b) The process and format that law enforcement agencies must use to submit
15 to the office the collected information specified in par. (a).

16 (c) The types of analyses that the office will perform in fulfilling the
17 requirement under sub. (1).

18 (d) Requirements for making reports to the legislature under s. 13.172 (2), to
19 the governor, and to the director of state courts.

20 **SECTION 2.** 349.027 of the statutes is created to read:

21 **349.027 Collection of motor vehicle traffic stop information.** (1) For
22 each motor vehicle stop made on or after the effective date of this subsection [LRB
23 inserts date], by a law enforcement officer, the person in charge of the law
24 enforcement agency employing the law enforcement officer shall cause to be obtained

✓
NS
2-19

1 all information relating to the traffic stop that is required to be collected under rules
2 promulgated under s. 165.847 (2) (a).

3 (2) The person in charge of a law enforcement agency shall submit the
4 information collected under sub. (1) to the department of justice using the process,
5 and in the format, prescribed by the rules promulgated under s. 165.847 (2) (b).

6 **SECTION 3. Nonstatutory provisions.**

7 (1) REPORT RELATED TO TRAFFIC STOP INFORMATION COLLECTION AND ANALYSIS.

8 (a) In this subsection:

9 1. "Program costs" means the costs to implement and administer the
10 requirements to collect traffic stop information under sections 165.847 and 349.027
11 of the statutes.

12 2. "System" means an information technology system to implement the traffic
13 stop information collection required under sections 165.847 and 349.027 of the
14 statutes.

15 (b) The attorney general shall submit a report to the joint committee on finance
16 addressing all of the following:

17 1. The feasibility of developing the system.

18 2. The estimated initial development costs for the system and how the cost
19 estimates were derived.

20 3. The estimated ongoing costs for the system and how the cost estimates were
21 derived.

22 4. Timelines for development of the system.

23 5. The estimated costs to each participating state and local law enforcement
24 agency, on a one-time and on an ongoing basis, to acquire any necessary system

1 hardware and software, for any necessary communication lines, and for program
2 costs.

3 6. The estimated costs to the department of justice, on a one-time and on an
4 ongoing basis, to acquire any necessary system hardware and software, for system
5 maintenance, for any necessary communication lines, for staffing to compile and
6 analyze the traffic stop information and produce any required reports, for staffing
7 to administer the department's other responsibilities under section 165.847 of the
8 statutes and for any other program costs.

9 7. Funding sources for the system and program costs sufficient to cover
10 estimated system and program costs.

11 (c) If the cochairpersons of the joint committee on finance do not notify the
12 attorney general that the committee has scheduled a meeting for the purpose of
13 reviewing the report submitted under paragraph (b) within 14 working days after
14 the date that the report is submitted, the report is approved. If, within 14 working
15 days after the date that the report is submitted, the cochairpersons of the committee
16 notify the attorney general that the committee has scheduled a meeting for the
17 purpose of reviewing the report submitted under paragraph (b), the report is not
18 approved. System development may not begin prior to the approval of the report, as
19 originally submitted, or as modified by the joint committee on finance.

20

(END)

9

BILL

SECTION 1

INSERT

2017-18

2018-19

1 **20.455 Justice, department of**

2 (2) LAW ENFORCEMENT SERVICES

3 (aq) De-escalation tactics training GPR A 500,000 500,000

4 **SECTION 2.** 20.455 (2) (aq) of the statutes is created to read:

5 20.455 (2) (aq) *De-escalation tactics training.* The amounts in the schedule to
6 reimburse law enforcement agencies for training costs under s. 165.85 (4) (em).

7 **SECTION 3.** 165.85 (4) (em) of the statutes is created to read:

8 165.85 (4) (em) *De-escalation tactics*. 1. In this paragraph, "de-escalation
9 tactics" means actions and techniques used by law enforcement officers to minimize
10 the likelihood of the need to use force during an event, encounter, or interaction and
11 to slow down or stabilize a potentially unstable situation to allow for more time,
12 options, and resources for resolution or prevention of an incident.

13 2. The board shall establish criteria for training on de-escalation tactics. Each
14 law enforcement officer shall receive at least 8 hours per year of training specified
15 under this *paragraph* subdivision. Hours of training completed under this *paragraph* subdivision count
16 toward the hours of training under par. (a) 7. a. Notwithstanding s. 227.10 (1), the
17 criteria under this *paragraph* subdivision need not be promulgated as rules under ch. 227.

(END)

INS 2-19

avoiding racial profiling
when making motor vehicle
stop s

Mueller, Eric

From: Schabo, Timothy
Sent: Thursday, May 18, 2017 10:18 AM
To: Mueller, Eric
Cc: Hanaman, Cathlene
Subject: Bill Draft

from where?

Eric,
Rep. Crowley would a re-draft of LRB-2971/P2 relating to police data collection. The following two items he would like added.

1. An allocation of 3 million dollars in grants to counties with 25% or higher minority populations to improve police and community relations.
2. A reciprocity agreement (legacy benefits) for families of police officers who die in the line of duty. (Like the ones that firefighters receive)

insurance benefits

If you have any questions, please call me.

SB91

Thank You,

-1632

Timothy Schabo

-2141 AB:SA

Timothy Schabo
Legislative Aide
Office of Rep. David Crowley
O: (608) 266-5580 C: (920) 915-0479
timothy.schabo@legis.wisconsin.gov





State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2971/P2
EVM&CMH:jld

due Thurs

(RMR)

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

✓ Payment of health insurance premiums for certain survivors of law enforcement officers, grants to counties

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regul

1 AN ACT to create 165.847, 165.85 (4) (em) and 349.027 of the statutes; relating
2 to: collection and analysis of motor vehicle traffic stop information, law
3 enforcement training, and granting rule-making authority.

and making own appropriation ✓

Analysis by the Legislative Reference Bureau

Under this bill, law enforcement officers must collect at each motor vehicle traffic stop all information specified by rule promulgated by the Department of Justice. This information must then be submitted by the law enforcement agency to DOJ. DOJ must analyze this information to determine whether the number of motor vehicle stops and searches involving racial minorities is disproportionate compared to nonminorities.

INS Analysis

This bill also requires the Law Enforcement Standards Board to establish criteria for annual training on avoiding racial profiling in making motor vehicle stops.

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:

INS
1-4

SECTION 1. 165.847 of the statutes is created to read:

1 **165.847 Motor vehicle traffic stop information.** (1) The department shall
2 analyze the information submitted to it by law enforcement agencies under s.
3 349.027 (2) to determine whether the number of motor vehicle stops and searches
4 involving motor vehicles operated or occupied by members of a racial minority is
5 disproportionate to the number of motor vehicle stops and searches involving motor
6 vehicles operated or occupied solely by persons who are not members of a racial
7 minority.

8 (2) The department shall promulgate rules relating to all of the following:

9 (a) The types of information that law enforcement agencies must collect
10 relating to traffic stops and the circumstances under which this information must be
11 collected. The rule under this paragraph shall require the collection of the zip code,
12 gender, and ethnicity of the operator and each passenger of the stopped motor vehicle
13 for each motor vehicle stop.

14 (b) The process and format that law enforcement agencies must use to submit
15 to the office the collected information specified in par. (a).

16 (c) The types of analyses that the office will perform in fulfilling the
17 requirement under sub. (1).

18 (d) Requirements for making reports to the legislature under s. 13.172 (2), to
19 the governor, and to the director of state courts.

20 **SECTION 2.** 165.85 (4) (em) of the statutes is created to read:

21 165.85 (4) (em) *Racial profiling prevention.* The board shall establish criteria
22 for training on avoiding racial profiling when making motor vehicle stops. Each law
23 enforcement officer shall receive at least 8 hours per year of training specified under
24 this paragraph. Hours of training completed under this paragraph count toward the

✓ IWB
3-2

1 hours of training under par. (a) 7. a. Notwithstanding s. 227.10 (1), the criteria under
2 this paragraph need not be promulgated as rules under ch. 227.

3 **SECTION 3.** 349.027 of the statutes is created to read:

4 **349.027 Collection of motor vehicle traffic stop information.** (1) For
5 each motor vehicle stop made on or after the effective date of this subsection [LRB
6 inserts date], by a law enforcement officer, the person in charge of the law
7 enforcement agency employing the law enforcement officer shall cause to be obtained
8 all information relating to the traffic stop that is required to be collected under rules
9 promulgated under s. 165.847 (2) (a).

10 (2) The person in charge of a law enforcement agency shall submit the
11 information collected under sub. (1) to the department of justice using the process,
12 and in the format, prescribed by the rules promulgated under s. 165.847 (2) (b).

✓
INS
3-12

13 (END)

1 INS Analysis

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Currently, if a municipality pays the health insurance premiums for its employees who are fire fighters, the municipality must pay these premiums for the surviving spouse and dependent children of a fire fighter who dies in the line of duty. This bill extends this requirement to municipal employees who are law enforcement officers.✓

This bill requires DOJ✓ to award grants of up to \$3,000,000✓ in the 2017-19 fiscal biennium to counties in which at least 25✓ percent of the population is composed of minorities, which are defined as persons who are black, Hispanic, American Indian, Eskimo, Aleut, native Hawaiian, Asian-Indian, or of Asian-Pacific origin.✓ The grants are to improve relations between law enforcement and the community.

3

4 INS 1-4

5 SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
6 the following amounts for the purposes indicated:

				2017-18	2018-19
7	20.445 ⁵	Justice, Department of			
8	(2)	LAW ENFORCEMENT SERVICES ✓			
9	(e)	Community relations grants ✓	GPR ✓ A	1,500,000 ✓	1,500,000 ✓

10 SECTION 2. 20.455 (2) (e)✓ of the statutes is created to read:

11 20.455 (2) (e) *Community relations grants*.✓ The amounts in the schedule for
12 making grants to counties under s. 165.985.✓

13 SECTION 3. 66.0137 (5) (c) 1m. ✓ of the statutes is created to read:

14 66.0137 (5) (c) 1m. Except as provided in subds. 2.✓ and 3., ✓ if a municipality
15 provides for the payment of premiums for hospital, surgical, and other health
16 insurance for its law enforcement officers, it shall continue to pay such premiums for



1 the surviving spouse and dependent children of a law enforcement officer[✓] who dies
2 in the line of duty.

3 **SECTION 4.** 66.0137 (5) (c) 2. of the statutes is amended to read:

4 66.0137 (5) (c) 2. A municipality may not be required to pay the premiums
5 described in subd. 1. or 1m.[✓] for a surviving spouse upon the remarriage of the
6 surviving spouse or upon the surviving spouse reaching the age of 65.

History: 1999 a. 9, 115; 1999 a. 150 ss. 34, 303 to 306; Stats. 1999 s. 66.0137; 1999 a. 186 s. 63; 2001 a. 16, 30; 2005 a. 194; 2005 a. 443 s. 265; 2007 a. 20, 36; 2009 a. 14, 28, 146, 180, 218, 276, 285; 2011 a. 260; 2013 a. 20; 2013 a. 116 s. 29; 2013 a. 117 s. 2, 3; 2013 a. 186; 2015 a. 55.

7 **SECTION 5.** 66.0137 (5) (c) 3. (intro.) of the statutes is amended to read:

8 66.0137 (5) (c) 3. (intro.) An individual is not a dependent child for the purposes
9 of subd. 1. or 1m.[✓] after the individual reaches the age of 18 unless one of the following
10 applies:

History: 1999 a. 9, 115; 1999 a. 150 ss. 34, 303 to 306; Stats. 1999 s. 66.0137; 1999 a. 186 s. 63; 2001 a. 16, 30; 2005 a. 194; 2005 a. 443 s. 265; 2007 a. 20, 36; 2009 a. 14, 28, 146, 180, 218, 276, 285; 2011 a. 260; 2013 a. 20; 2013 a. 116 s. 29; 2013 a. 117 s. 2, 3; 2013 a. 186; 2015 a. 55.

11

12 INS 3-2

13 **SECTION 6.** 165.985 of the statutes is created to read:

14 **165.985 Community relations grants.** The department of justice shall
15 provide grants from the appropriation under s. 20.455 (2) (e)[✓] to counties in which at
16 least 25[✓] percent of the population are minority group members, as defined in s.
17 16.287 (1) (f)[✓], to improve relations between law enforcement and the community. A
18 county applying to the department of justice for a grant under this section[✓] shall
19 include a proposed plan of expenditure of the grant moneys.[✓]

20

21 INS 3-12

22 **SECTION 7. Initial applicability.**



1 (1) The treatment of section 66.0137 (5) (c) 1[✓], 2[✓], and 3[✓] of the statutes first
2 applies to a law enforcement officer who dies in the line of duty on the effective date
3 of this subsection.[✓]

****NOTE: Please let me know if you want a different initial applicability.[✓]

2017 DRAFTING REQUEST**Bill**For: **David Crowley (608) 266-5580**Drafter: **emueller**By: **Tim**Secondary Drafters: **chanaman**Date: **4/11/2017**

May Contact:

Same as LRB:

Submit via email: **YES**Requester's email: **Rep.Crowley@legis.wisconsin.gov**Carbon copy (CC) to: **eric.mueller@legis.wisconsin.gov**
zachary.wyatt@legis.wisconsin.gov
melinda.johns@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Motor vehicle traffic stop information

Instructions:

Restore material eliminated by 2011 Wisconsin Act 29; health insurance premiums for survivors of law enforcement officers; law enforcement training

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	emueller 4/14/2017	jdye 4/17/2017			
/P1	emueller 4/24/2017		mbarman 4/17/2017		State S&L
/P2	emueller	jdye 4/25/2017	mbarman 4/25/2017		State S&L

FE Sent For:

<END>



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2971/P3
EVM&CMH:jld

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

INSERT

11/21/17

4

repen

1 **AN ACT to amend** 66.0137 (5) (c) 2. and 66.0137 (5) (c) 3. (intro.); and **to create**
 2 20.455 (2) (e), 66.0137 (5) (c) 1m., 165.847, 165.85(4) (em), 165.985 and 349.027
 3 of the statutes; **relating to:** collection and analysis of motor vehicle traffic stop
 4 information, payment of health insurance premiums for certain survivors of
 5 law enforcement officers, grants to counties, law enforcement training,
 6 granting rule-making authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

Under this bill, law enforcement officers must collect at each motor vehicle traffic stop all information specified by rule promulgated by the Department of Justice. This information must then be submitted by the law enforcement agency to DOJ. DOJ must analyze this information to determine whether the number of motor vehicle stops and searches involving racial minorities is disproportionate compared to nonminorities.

Currently, if a municipality pays the health insurance premiums for its employees who are fire fighters, the municipality must pay these premiums for the surviving spouse and dependent children of a fire fighter who dies in the line of duty. This bill extends this requirement to municipal employees who are law enforcement officers.

This bill requires DOJ to award grants of up to \$3,000,000 in the 2017-19 fiscal biennium to counties in which at least 25 percent of the population is composed of

minorities, which are defined as persons who are Black, Hispanic, American Indian, Eskimo, Aleut, native Hawaiian, Asian-Indian, or of Asian-Pacific origin. The grants are to improve relations between law enforcement and the community.

This bill also requires the Law Enforcement Standards Board to establish criteria for annual training on avoiding racial profiling in making motor vehicle stops.

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:

INS Analysis ✓

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

2017-18 2018-19

3 **20.455 Justice, department of**

4 (2) LAW ENFORCEMENT SERVICES

5 (e) Community relations grants GPR A 1,500,000 1,500,000

6 **SECTION 2.** 20.455 (2) (e) of the statutes is created to read:

7 20.455 (2) (e) *Community relations grants.* The amounts in the schedule for
8 making grants to counties under s. 165.985.

9 **SECTION 3.** 66.0137 (5) (c) 1m. of the statutes is created to read:

10 66.0137 (5) (c) 1m. Except as provided in subds. 2. and 3., if a municipality
11 provides for the payment of premiums for hospital, surgical, and other health
12 insurance for its law enforcement officers, it shall continue to pay such premiums for
13 the surviving spouse and dependent children of a law enforcement officer who dies
14 in the line of duty.

15 **SECTION 4.** 66.0137 (5) (c) 2. of the statutes is amended to read:

1 66.0137 (5) (c) 2. A municipality may not be required to pay the premiums
2 described in subd. 1. or 1m. for a surviving spouse upon the remarriage of the
3 surviving spouse or upon the surviving spouse reaching the age of 65.

4 **SECTION 5.** 66.0137 (5) (c) 3. (intro.) of the statutes is amended to read:

5 66.0137 (5) (c) 3. (intro.) An individual is not a dependent child for the purposes
6 of subd. 1. or 1m. after the individual reaches the age of 18 unless one of the following
7 applies:

8 **SECTION 6.** 165.847 of the statutes is created to read:

9 **165.847 Motor vehicle traffic stop information.** (1) The department shall
10 analyze the information submitted to it by law enforcement agencies under s.
11 349.027 (2) to determine whether the number of motor vehicle stops and searches
12 involving motor vehicles operated or occupied by members of a racial minority is
13 disproportionate to the number of motor vehicle stops and searches involving motor
14 vehicles operated or occupied solely by persons who are not members of a racial
15 minority.

16 (2) The department shall promulgate rules relating to all of the following:

17 (a) The types of information that law enforcement agencies must collect
18 relating to traffic stops and the circumstances under which this information must be
19 collected. The rule under this paragraph shall require the collection of the zip code,
20 gender, and ethnicity of the operator and each passenger of the stopped motor vehicle
21 for each motor vehicle stop.

22 (b) The process and format that law enforcement agencies must use to submit
23 to the office the collected information specified in par. (a).

24 (c) The types of analyses that the office will perform in fulfilling the
25 requirement under sub. (1).

1 (d) Requirements for making reports to the legislature under s. 13.172 (2), to
2 the governor, and to the director of state courts.

3 **SECTION 7.** 165.85 (4) (em) of the statutes is created to read:

4 165.85 (4) (em) *Racial profiling prevention.* The board shall establish criteria
5 for training on avoiding racial profiling when making motor vehicle stops. Each law
6 enforcement officer shall receive at least 8 hours per year of training specified under
7 this paragraph. Hours of training completed under this paragraph count toward the
8 hours of training under par. (a) 7. a. Notwithstanding s. 227.10 (1), the criteria under
9 this paragraph need not be promulgated as rules under ch. 227.

10 **SECTION 8.** 165.985 of the statutes is created to read:

11 **165.985 Community relations grants.** The department of justice shall
12 provide grants from the appropriation under s. 20.455 (2) (e) to counties in which at
13 least 25 percent of the population are minority group members, as defined in s.
14 16.287 (1) (f), to improve relations between law enforcement and the community. A
15 county applying to the department of justice for a grant under this section shall
16 include a proposed plan of expenditure of the grant moneys.

17 **SECTION 9.** 349.027 of the statutes is created to read:

18 **349.027 Collection of motor vehicle traffic stop information.** (1) For
19 each motor vehicle stop made on or after the effective date of this subsection [LRB
20 inserts date], by a law enforcement officer, the person in charge of the law
21 enforcement agency employing the law enforcement officer shall cause to be obtained
22 all information relating to the traffic stop that is required to be collected under rules
23 promulgated under s. 165.847 (2) (a).

1 (2) The person in charge of a law enforcement agency shall submit the
2 information collected under sub. (1) to the department of justice using the process,
3 and in the format, prescribed by the rules promulgated under s. 165.847 (2) (b).

4 **SECTION 10. Initial applicability.**

5 (1) The treatment of section 66.0137 (5) (c) 1m., 2., and 3. of the statutes first
6 applies to a law enforcement officer who dies in the line of duty on the effective date
7 of this subsection.

****NOTE: Please let me know if you want a different initial applicability.

8

(END)

INS ✓
S-8

2017-2018 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2971/P4ins
EVM&CMH:jld

1 INS Analysis

2

This bill requires that, whenever a law enforcement officer accesses, for a purpose related to a motor vehicle stop, a driver license, permit, or identification card record maintained by the Department of Transportation, DOT must record the race, ethnicity, zip code, and gender of the person whose record is accessed.

3

4 INS 5-8

5

6 SECTION 1. 343.243 of the statutes is created to read:

7 **343.243 Motor vehicle traffic stop information.** When a law enforcement
8 officer accesses, for a purpose related to a motor vehicle stop, a driver license, permit,
9 or identification card record maintained by the department, the department shall
10 record the race, ethnicity, zip code, and gender of the person whose record is accessed.



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2971/P4
EVM&CMH:jld

RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes

2/5/18

1 **AN ACT to create** 343.243 of the statutes; **relating to:** collection of motor vehicle
2 traffic stop information.

Analysis by the Legislative Reference Bureau

This bill requires that, whenever a law enforcement officer accesses, for a purpose related to a motor vehicle stop, an operator's license, permit, or identification card record maintained by the Department of Transportation, DOT must record the race, ethnicity, zip code, and gender of the person whose record is accessed.

For further information see the **state** 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:

3 **SECTION 1.** 343.243 of the statutes is created to read:
4 **343.243 Motor vehicle traffic stop information.** When a law enforcement
5 officer accesses, for a purpose related to a motor vehicle stop, an operator's license,
6 permit, or identification card record maintained by the department, the department

SECTION 1

1 shall record the race, ethnicity, zip code, and gender of the person whose record is
2 accessed.

3 (END)