

1979 Senate Bill 221

Date published: November 28, 1979

CHAPTER 81, Laws of 1979

AN ACT to renumber 968.13 (intro.), (1) and (2); to amend 968.13 (1) (b), as renumbered; and to create 968.13 (1) (c) and (d) and (2) and 968.135 of the statutes, relating to search warrants and subpoenas.

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

SECTION 1. 968.13 (intro.), (1) and (2) of the statutes are renumbered 968.13 (1) (intro.), (a) and (b), respectively, and 968.13 (1) (b), as renumbered, is amended to read:

968.13 (1) (b) Anything which is the fruit of, or has been used in the commission of, ~~or which may constitute evidence of~~ any crime.

SECTION 2. 968.13 (1) (c) and (d) and (2) of the statutes are created to read:

968.13 (1) (c) Anything other than documents which may constitute evidence of any crime.

(d) Documents which may constitute evidence of any crime, if probable cause is shown that the documents are under the control of a person who is reasonably suspected to be concerned in the commission of that crime under s. 939.05 (2).

(2) In this section, "documents" includes, but is not limited to, books, papers, records, recordings, tapes, photographs, films or computer or electronic data.

SECTION 3. 968.135 of the statutes is created to read:

968.135 Subpoena for documents. Upon the request of the attorney general or a district attorney and upon a showing of probable cause under s. 968.12 (1), a court shall issue a subpoena requiring the production of documents, as specified in s. 968.13 (2). The documents shall be returnable to the court which issued the subpoena. Motions to the court, including, but not limited to, motions to quash or limit the subpoena, shall be ad-

dressed to the court which issued the subpoena. Any person who unlawfully refuses to produce the documents may be compelled to do so as provided in ch. 295. This section does not limit or affect any other subpoena authority provided by law.
