

1981 Senate Bill 466

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CHAPTER 306 , Laws of 1981

AN ACT to create 946.60 of the statutes, relating to destruction of documents subject to subpoena and providing penalties.

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

SECTION 1. 946.60 of the statutes is created to read:

946.60 Destruction of documents subject to subpoena. (1) Whoever intentionally destroys, alters, mutilates, conceals, removes, withholds or transfers possession of a document, knowing that the document has been subpoenaed by a court or by or at the request of a district attorney or the attorney general, is guilty of a Class E felony.

(2) Whoever uses force, threat, intimidation or deception, with intent to cause or induce another person to destroy, alter, mutilate, conceal, remove, withhold or transfer possession of a subpoenaed document, knowing that the document has been subpoenaed by a court or by or at the request of a district attorney or the attorney general, is guilty of a Class E felony.

(3) It is not a defense to a prosecution under this section that:

- (a) The document would have been legally privileged or inadmissible in evidence.
 - (b) The subpoena was directed to a person other than the defendant.
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