

State of Misconsin 2003 - 2004 LEGISLATURE

ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 2003 ASSEMBLY BILL 584

November 20, 2003 – Offered by Representative Schneider.

1	AN ACT to renumber 910.01 (1) and 910.01 (4); to renumber and amend 910.01
2	(2); to amend 802.05 (1) (c) and subchapter III, (title) of chapter 946 [precedes
3	946.31]; and to create 910.01 (1g), 910.025 and 946.33 of the statutes; relating
4	to: admissibility of digitally produced photograph, film, motion picture, audio,
5	or video.
	The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:
6	SECTION 1. 802.05 (1) (c) of the statutes is amended to read:
7	802.05 (1) (c) The requirement of a handwritten signature subscribing
8	pleadings, motions or other papers filed in court may be satisfied by a duplicate, as
9	defined in s. 910.01 (4) (2m), if a handwritten signature appears on the original
10	document and the signing party or his or her attorney retains the original document.
11	SECTION 2. 910.01 (1) of the statutes is renumbered 910.01 (5m).
12	SECTION 3. 910.01 (1g) of the statutes is created to read:

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1	910.01 (1g) DIGITAL REPRESENTATION. "Digital representation" means any
2	recording or image of a person, place, document, sound, or event that is created or
3	stored by data in the form of numerical digits.
4	SECTION 4. 910.01 (2) of the statutes is renumbered 910.01 (4m) and amended
5	to read:
6	910.01 (4m) PHOTOGRAPHS. "Photographs" include still photographs, X-ray
7	films, and motion pictures <u>, and digital representations</u> .
8	SECTION 5. 910.01 (4) of the statutes is renumbered 910.01 (2m).
9	SECTION 6. 910.025 of the statutes is created to read:
10	910.025 Inadmissibility of a digital representation. In any action or
11	proceeding, except an action under s. 948.05 or 948.12, a digital representation in the
12	form of a photograph, film, motion picture, audio, or video is not admissible for
13	purposes of proving the content of that digital representation unless that digital
14	representation is in a format that includes information that cannot be identified or
15	manipulated and that shows that the digital representation has not been altered
16	from its original representation.
17	SECTION 7. Subchapter III, (title) of chapter 946 [precedes 946.31] of the
18	statutes is amended to read:
19	CHAPTER 946
20	SUBCHAPTER III
21	PERJURY, DIGITAL ALTERATION,
22	AND FALSE SWEARING
23	SECTION 8. 946.33 of the statutes is created to read:

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946.33 Alteration of a digital representation. (1) In this section, "digital
 representation" means any recording or image of a person, place, document, sound,
 or event that is created or stored by data in the form of numerical digits.

4 (2) Whoever admits into evidence a digital representation for the purpose of
5 proving the content of that digital representation knowing that the digital
6 representation has been altered from its original representation is guilty of a Class
7 A misdemeanor.

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SECTION 9. Initial applicability.

9 (1) This act first applies to actions commenced on the effective date of this10 subsection.

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(END)