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State of Misconsin 2013 - 2014 LEGISLATURE



ASSEMBLY AMENDMENT 3, TO ASSEMBLY BILL 59

May 15, 2013 - Offered by Representative GOYKE.

At the locations indicated, amend the bill as follows:

- **1.** Page 2, line 10: after "department." insert "Evidence or information obtained during or pursuant to a search conducted in violation of this subsection is not admissible in any revocation proceeding against the person.".
- **2.** Page 2, line 20: after "department." insert "Evidence or information obtained during or pursuant to a search conducted in violation of this paragraph is not admissible in any revocation proceeding against the person.".
- **3.** Page 3, line 10: after "department." insert "Evidence or information obtained during or pursuant to a search conducted in violation of this subdivision is not admissible in any revocation proceeding against the person.".
- **4.** Page 3, line 19: after "department." insert "Evidence or information obtained during or pursuant to a search conducted in violation of this subsection is not admissible in any revocation proceeding against the person.".

- **5.** Page 4, line 4: after "department." insert "Evidence or information obtained during or pursuant to a search conducted in violation of this subsection is not admissible in any revocation proceeding against the person.".
- **6.** Page 4, line 14: after "department." insert "Evidence or information obtained during or pursuant to a search conducted in violation of this subsection is not admissible in any revocation proceeding against the person.".
- **7.** Page 4, line 23: after "department." insert "Evidence or information obtained during or pursuant to a search conducted in violation of this subsection is not admissible in any revocation proceeding against the person.".
- **8.** Page 5, line 8: after "department." insert "Evidence or information obtained during or pursuant to a search conducted in violation of this subsection is not admissible in any revocation proceeding against the person.".
 - **9.** Page 5, line 8: after that line insert:
 - "Section 8m. 972.113 of the statutes is created to read:
- 972.113 Certain evidence excluded. Evidence or information obtained during or pursuant to a search conducted under s. 302.043 (4), 302.045 (3m) (e), 302.05 (3) (c) 4., 302.11 (6m), 302.113 (7r), 302.114 (8g), 304.02 (2m), 304.06 (1r), or 973.09 (1d) is not admissible in evidence in any criminal proceeding if the search was done without the reasonable suspicion required thereunder or if the search was conducted in an unreasonable manner or was arbitrary, capricious, or harassing.".
- **10.** Page 5, line 18: after "corrections." insert "Evidence or information obtained during or pursuant to a search conducted in violation of this subsection is not admissible in any revocation proceeding against the person.".