



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa1888/1
MLJ:ahe/emw/klm

**SENATE AMENDMENT 2,
TO SENATE BILL 492**

February 2, 2018 - Offered by Senator PETROWSKI.

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 3, line 5: delete “any” and substitute “an”.
- 3 **2.** Page 3, line 5: after “articulated” insert “theory of”.
- 4 **3.** Page 3, line 5: delete the material beginning with “supports” and ending
5 with “defense” on line 6 and substitute “is necessary to a determination of guilt or
6 innocence”.
- 7 **4.** Page 3, line 11: delete “45” and substitute “60”.
- 8 **5.** Page 3, line 14: before “good” insert “fact-specific”.
- 9 **6.** Page 3, line 16: delete “indicates” and substitute “demonstrates”.
- 10 **7.** Page 3, line 19: delete “That there” and substitute “There”.
- 11 **8.** Page 3, line 21: delete “That the” and substitute “The”.
- 12 **9.** Page 3, line 21: delete “any” and substitute “an”.

- 1 **10.** Page 3, line 22: after “articulated” insert “theory of”.
- 2 **11.** Page 3, line 23: delete “That the” and substitute “The”.
- 3 **12.** Page 4, line 1: delete “That the” and substitute “The”.
- 4 **13.** Page 4, line 3: delete “The following offers of proof alone” and substitute
5 “Each of the following offers of proof, considered alone,”.
- 6 **14.** Page 4, line 4: delete “his or her” and substitute “the”.
- 7 **15.** Page 4, line 6: delete “That the” and substitute “The”.
- 8 **16.** Page 4, line 7: delete “That the” and substitute “The”.
- 9 **17.** Page 4, line 9: delete “That the” and substitute “The”.
- 10 **18.** Page 4, line 10: after that line insert:
11 “4. The crime victim may have made an inconsistent statement about the
12 offense.”.
- 13 **19.** Page 4, line 14: delete “That a” and substitute “A”.
- 14 **20.** Page 4, line 16: delete “That he” and substitute “He”.
- 15 **21.** Page 4, line 18: delete “That he” and substitute “He”.
- 16 **22.** Page 4, line 20: delete “That by” and substitute “By”.
- 17 **23.** Page 5, line 7: delete “counsel and” and substitute “counsel. The court”.
- 18 **24.** Page 5, line 7: after “request” insert “regarding access to and disclosure
19 of the privileged mental health treatment records”.
- 20 **25.** Page 5, line 13: after “child” insert “regarding access to and disclosure of
21 the privileged mental health treatment records”.
- 22 **26.** Page 5, line 16: delete “by a preponderance of the evidence”.

- 1 **27.** Page 6, line 1: delete “to any” and substitute “to an”.
- 2 **28.** Page 6, line 2: after “articulated” insert “theory of”.
- 3 **29.** Page 6, line 5: delete “by clear and convincing evidence”.
- 4 **30.** Page 6, line 6: delete “That the” and substitute “The”.
- 5 **31.** Page 6, line 7: delete “any” and substitute “an”.
- 6 **32.** Page 6, line 7: after “articulated” insert “theory of”.
- 7 **33.** Page 6, line 7: delete “that”.
- 8 **34.** Page 6, line 9: delete “That the” and substitute “The”.
- 9 **35.** Page 6, line 9: after “exculpatory” insert “because it is necessary to the
10 determination of guilt or innocence”.
- 11 **36.** Page 7, line 11: delete “any” and substitute “an”.
- 12 **37.** Page 7, line 11: after “articulated” insert “theory of”.
- 13 **38.** Page 8, line 7: after “inform the jury” insert “immediately following the
14 testimony of the crime victim and before jury deliberations”.
- 15 **39.** Page 8, line 7: after that line insert:
16 “a. The defendant filed a motion for discovery of mental health treatment
17 records that met the requirements for an in camera review.”.
- 18 **40.** Page 8, line 8: delete “a. That the” and substitute “b. The”.
- 19 **41.** Page 8, line 10: delete “b. That the” and substitute “c. The”.
- 20 **42.** Page 8, line 12: delete “s. 905.11 or 905.12” and substitute “ss. 905.11 to
21 905.13”.

