



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2007 Assembly Bill 645**

**Assembly Amendment 1**

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*Assembly Bill 645* provides that any person who is asked for his or her name by a law enforcement officer during an investigatory stop and fails to disclose his or her name is subject to a forfeiture not to exceed \$500 if the demand for his or her name is reasonably related to the circumstances justifying the stop.

*Assembly Amendment 1* provides that it is an affirmative defense that the defendant did not understand the officer's demands for the defendant's name because the defendant had difficulty understanding the English language. Under the amendment, a defendant who raises this affirmative defense has the burden of proving the defense by a preponderance of evidence.

### Legislative History

Representative Albers offered Assembly Amendment 1. On February 27, 2008, the Assembly Committee on Criminal Justice recommended adoption of the amendment on a vote of Ayes, 10; Noes, 1, and recommended passage of the bill, as amended, on a vote of Ayes, 7; Noes, 4.

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