LRB-4544/1 RLR:jld:pg

2005 ASSEMBLY BILL 990

February 7, 2006 – Introduced by Representatives Gundrum, Cullen, Musser, Krawczyk, Mursau, Gunderson, Lehman, F. Lasee, Townsend, Albers, Petrowski and Van Roy, cosponsored by Senators Reynolds, Roessler, Lassa and Leibham. Referred to Committee on Judiciary.

- 1 AN ACT to amend 973.047 (1f) of the statutes; relating to: deoxyribonucleic acid
- 2 testing of criminals.

Analysis by the Legislative Reference Bureau

Under current law, any person who is sentenced or placed on probation for conviction of a felony (a crime for which a person may be sentenced to prison) must provide a biological specimen to the state crime laboratories for deoxyribonucleic acid (DNA) analysis. The crime laboratories must analyze the DNA in such specimens and store DNA profiles from the specimens in the crime laboratories' DNA data bank. The crime laboratories may compare DNA samples from a variety of sources to the DNA profiles in the data bank and may provide information from such comparisons to law enforcement agencies for criminal investigations. If a person provides proof that a court has reversed, set aside, or vacated the conviction for which the person was required to provide a biological specimen, the crime laboratories must expunge from the data bank any information concerning the person and destroy any remaining biological specimen from the person.

This bill requires that any person who is sentenced or placed on probation for conviction of a fourth-degree sexual assault or the crime of exposing oneself to a child or causing a child to expose himself or herself must provide a biological specimen to the crime laboratories. The bill requires the crime laboratories to analyze the specimens and store DNA profiles from the specimens in the DNA data bank.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 973.047 (1f) of the statutes is amended to read:

973.047 (**1f**) If a court imposes a sentence or places a person on probation for a felony conviction or for a conviction for a violation of s. 940.225 (3m) or 948.10, the court shall require the person to provide a biological specimen to the state crime laboratories for deoxyribonucleic acid analysis.

SECTION 2. Initial applicability.

(1) This act first applies to convictions entered on the effective date of this subsection.

Section 3. Effective date.

(1) This act takes effect on the first day of the 2nd month beginning after publication.

12 (END)