



2025 ASSEMBLY BILL 191

April 15, 2025 - Introduced by Representatives GOEBEN, PIWOWARCZYK, O'CONNOR, ARMSTRONG, SUBECK, DITTRICH, MURSAU, KREIBICH, MURPHY and BEHNKE, cosponsored by Senators JAMES, WANGGAARD, TOMCZYK and NASS. Referred to Committee on Judiciary.

1 **AN ACT** *to create* 885.035 of the statutes; **relating to:** requiring a subpoena to
2 a law enforcement officer or tribal law enforcement officer served in official
3 capacity to be served at the officer's work address.

Analysis by the Legislative Reference Bureau

Under current law, a subpoena may generally be served by any person by exhibiting and reading it to the witness, by giving the witness a copy of the subpoena, or by leaving a copy of the subpoena at the witness's home. This bill modifies the procedure with respect to law enforcement officers and tribal law enforcement officers served in an official capacity, requiring that a subpoena may be served upon a law enforcement officer or tribal law enforcement officer in the officer's official capacity as a law enforcement officer or tribal law enforcement officer only at the officer's work address by exhibiting and reading it to the officer, by giving the officer a copy of the subpoena, or by leaving a copy of the subpoena at the officer's work address.

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

4 **SECTION 1.** 885.035 of the statutes is created to read:

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SECTION 1

885.035 Service of subpoena to law enforcement officer. (1) In this section:

(a) “Law enforcement officer” has the meaning given in s. 165.85 (2) (c).

(b) “Tribal law enforcement officer” has the meaning given in s. 165.85 (2) (g).

(2) Notwithstanding s. 885.03, a subpoena to be served upon a law enforcement officer or tribal law enforcement officer in the officer's official capacity as a law enforcement officer or tribal law enforcement officer may be served only at the law enforcement officer's or tribal law enforcement officer's work address. The subpoena may be served by exhibiting and reading it to the officer, by giving the officer a copy thereof, or by leaving a copy at the officer's work address.

(END)