AN ACT ***to create*** 948.12 (4) of the statutes; **relating to:** possession of child pornography.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the Joint Legislative Council's Special Committee on Review of Crimes Against Children.

Under current law, it is generally a Class D felony to possess child pornography or to exhibit or play a recording of a child engaged in sexually explicit conduct if specified conditions are met.

The draft creates an exception to this offense of possession, exhibition, or playing of child pornography in the course of a criminal or civil proceeding in accordance with any court orders regarding the possession, exhibition, or playing of the child pornography.

SECTION 1. 948.12 (4) of the statutes is created to read:

948.12 **(4)** This section does not apply to the possession of pornographic material or the exhibition or playing of a recording of a child engaged in sexually explicit conduct in the course of a criminal or civil proceeding in accordance with any court order regarding the possession of the material or the exhibition or playing of the recording.

NOTE: This SECTION creates an exception to the offense of possession of child pornography for the possession, exhibition, playing of child pornography in the course of a criminal or civil proceeding in accordance with any court order regarding the possession, exhibition, or playing of the child pornography.

(END)