

State of Wisconsin



2021 Assembly Bill 834

Date of enactment:
Date of publication*:

2021 WISCONSIN ACT

AN ACT *to create* 164.07 and 968.155 of the statutes; **relating to:** no-knock search warrants and certain expenditures of federal moneys by first class cities.

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

SECTION 1. 164.07 of the statutes is created to read:

164.07 Executing a search warrant. A law enforcement officer may execute a search warrant as provided under s. 968.155.

SECTION 2. 968.155 of the statutes is created to read:

968.155 Search warrants; unannounced entry. (1)

A search warrant may be executed by a law enforcement officer without knocking and announcing his or her presence if the law enforcement officer has a reasonable suspicion that knocking and announcing his or her presence, under the particular circumstances, would be dangerous or futile or would inhibit the effective investigation of the crime.

(2) (a) No city, village, town, or county may adopt an ordinance or policy that restricts a law enforcement officer's ability to execute a search warrant as provided under sub. (1).

(b) No board of fire and police commissioners may prescribe rules under s. 62.50 (3) (a) that restrict a law enforcement officer's ability to execute a search warrant as provided under sub. (1).

(c) No board of fire and police commissioners may prescribe rules or regulations under s. 62.13 (6) (a) 1. that restrict a law enforcement officer's ability to execute a search warrant as provided under sub. (1).

(d) No sheriff or chief of a law enforcement agency may adopt a policy that restricts a law enforcement officer's ability to execute a search warrant as provided under sub. (1).

(e) No mayor or common council may issue an order that restricts a law enforcement officer's ability to execute a search warrant as provided under sub. (1).

SECTION 3. Nonstatutory provisions.

(1) LAW ENFORCEMENT EXPENDITURES BY A 1ST CLASS CITY.

(a) In this subsection, "policing expenditure rate" means the number calculated by dividing the amount expended by a 1st class city from its general fund in 2021 for law enforcement purposes, including all expenditures related to the city's police department, by the total amount expended by the city from its general fund in 2021 for all purposes.

(b) In any year, of the moneys a 1st class city receives from the federal government pursuant to section 603 of the federal Social Security Act as amended by the federal American Rescue Plan Act of 2021, P.L. 117-2, the city shall expend not less than the total amount received multiplied by the policing expenditure rate to fund operations of the city's police department.

(c) In any year that a 1st class city receives moneys from the federal government pursuant to section 603 of the federal Social Security Act as amended by the federal American Rescue Plan Act of 2021, P.L. 117-2, the city

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

shall expend at least as much from its general fund to fund operations of the city's police department as it expended _____ from its general fund for these purposes in 2021.