



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0093/1  
CMH:ahe

## 2019 ASSEMBLY BILL 212

May 15, 2019 - Introduced by Representatives HEBL, BOWEN, ANDERSON, L. MYERS, POPE, QUINN, RIEMER, SPREITZER, STUBBS, ZAMARRIPA and OHNSTAD, cosponsored by Senators L. TAYLOR, WIRCH and SMITH. Referred to Committee on Criminal Justice and Public Safety.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT** *to repeal* 165.77 (4) (am) 2. b. and 165.77 (4) (am) 3. b.; and *to create*  
2             165.77 (4) (cm) of the statutes; **relating to:** expungement of deoxyribonucleic  
3             acid from crime laboratories if the person is not found guilty or adjudicated  
4             delinquent.

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### *Analysis by the Legislative Reference Bureau*

Under this bill, if a court reaches final disposition for all charges and allegations for which a person was required to provide a biological sample to the Department of Justice for deoxyribonucleic acid (DNA) analysis and the person is not found guilty or delinquent on any such charge or allegation, the court must inform DOJ. DOJ must then purge all DNA records and information, and destroy all biological samples, pertaining to that person. Current law requires such a person to request DOJ to purge all records and information and destroy all such samples and for DOJ to verify that final disposition was reached on all charges and allegations without a guilty or delinquent verdict before fulfilling the request.

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

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

5             **SECTION 1.** 165.77 (4) (am) 2. b. of the statutes is repealed.

