

State of Wisconsin



2021 Senate Bill 121

Date of enactment: **June 22, 2021**
Date of publication*: **June 23, 2021**

2021 WISCONSIN ACT 48

AN ACT *to renumber and amend* 66.0511 (1); *to amend* 66.0511 (2); and *to create* 66.0511 (1) (a) of the statutes; relating to: prohibiting use of choke holds by law enforcement officers in use of force policies.

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

SECTION 1. 66.0511 (1) of the statutes is renumbered 66.0511 (1) (intro.) and amended to read:

66.0511 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section, "law:

(b) "Law enforcement agency" has the meaning given under s. 165.83 (1) (b).

SECTION 2. 66.0511 (1) (a) of the statutes is created to read:

66.0511 (1) (a) "Choke hold" means the intentional and prolonged application of force to the throat, windpipe, or carotid arteries that prevents or hinders breathing or blood flow, reduces the intake of air, or reduces blood flow to the head.

SECTION 3. 66.0511 (2) of the statutes is amended to read:

66.0511 (2) **USE OF FORCE POLICY.** Each person in charge of a law enforcement agency shall prepare in writing and make available for public scrutiny a policy or standard regulating the use of force by law enforcement officers in the performance of their duties. A law enforcement agency may not authorize the use of choke holds by law enforcement officers in a policy or standard under this subsection, except in life-threatening situations or in self-defense.

SECTION 4. Effective date.

(1) **USE OF CHOKE HOLDS.** The renumbering and amendment of s. 66.0511 (1), the amendment of s. 66.0511 (2), and the creation of s. 66.0511 (1) (a) take effect on the 30th day after publication.

* 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."