



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 235**

May 25, 1995 - Offered by COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS.

1 **AN ACT** *to renumber* 905.05 (3); and *to create* 905.05 (3) (b) of the statutes;
2 **relating to:** an exception to privileged communications between spouses.

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

3 **SECTION 1.** 905.05 (3) of the statutes is renumbered 905.05 (3) (a).

4 **SECTION 2.** 905.05 (3) (b) of the statutes is created to read:

5 905.05 (3) (b) If a person is charged with a crime specified under s. 940.01,
6 940.02, 940.03, 940.04, 940.05, 940.06, 940.07, 940.08, 940.09, 940.10, 940.11, 940.12
7 or 940.15, the spouse or former spouse of that person may claim a privilege to not
8 testify against the person charged with the crime as to any private communication
9 by one to the other made during their marriage. The person charged with one of the
10 crimes specified in this paragraph may not claim a privilege to prevent his or her
11 spouse or former spouse from testifying against the person charged with the crime
12 as to any private communication by one to the other made during their marriage.

13 **SECTION 3. Initial applicability.**

