



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1454/1
CMH:bjk:md

**ASSEMBLY AMENDMENT 1,
TO 2009 ASSEMBLY BILL 559**

February 9, 2010 - Offered by Representatives VAN ROY and BERNARD SCHABER.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 14, line 25: after that line insert:

3 “(5m) INCRIMINATING STATEMENTS COMPELLED; IMMUNITY. (a) If a respondent
4 refuses to complete a firearm possession form or to respond to the court’s inquiry
5 under sub. (2) (a) or (4) (c) because the completed firearm possession form or response
6 may incriminate him or her or subject him or her to a forfeiture or penalty, the court
7 may order the respondent to complete the firearm possession form or respond to the
8 inquiry. A completed firearm possession form or response compelled under a court
9 order under this paragraph may not be used, directly or indirectly, against the
10 respondent in a criminal case except to prosecute the respondent for perjury,
11 contempt, or false swearing committed on the firearm possession form or in the
12 response.

1 (b) The immunity provided under par. (a) is subject to the restrictions under
2 s. 972.085.”.

3 **2.** Page 15, line 19: after that line insert:

4 “**SECTION 28h.** 972.085 of the statutes is amended to read:

5 **972.085 Immunity; use standard.** Immunity from criminal or forfeiture
6 prosecution under ss. 13.35, 17.16 (7), 77.61 (12), 93.17, 111.07 (2) (b), 128.16, 133.15,
7 139.20, 139.39 (5), 195.048, 196.48, 551.602 (5), 553.55 (3), 601.62 (5), 767.87 (4),
8 813.129 (5m), 885.15, 885.24, 885.25 (2), 891.39 (2), 968.26, 972.08 (1) and 979.07 (1)
9 and ch. 769, provides immunity only from the use of the compelled testimony or
10 evidence in subsequent criminal or forfeiture proceedings, as well as immunity from
11 the use of evidence derived from that compelled testimony or evidence.”.

12 (END)