



State of Wisconsin
2011 - 2012 LEGISLATURE

January 2011 Special Session



LRBa0237/1
PJH:nwn/jld/cjs:ph

**ASSEMBLY AMENDMENT 10,
TO SENATE BILL 1**

January 20, 2011 – Offered by Representatives D. CULLEN, RADCLIFFE and DANOU.

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

2 **1.** Page 28, line 5: after “907.02 (1)” insert “or 907.025 (1)”.

3 **2.** Page 28, line 5: after that line insert:

4 “**SECTION 34g.** 907.02 (title) of the statutes is amended to read:

5 **907.02** (title) **Testimony by experts; civil actions.**”.

6 **3.** Page 28, line 6: delete the material inserted by item 3 of senate amendment

7 1 and substitute:

8 “**SECTION 34m.** 907.02 of the statutes is renumbered 907.02 (1) and amended
9 to read:

10 907.02 (1) If In a civil action, if scientific, technical, or other specialized
11 knowledge will assist the trier of fact to understand the evidence or to determine a
12 fact in issue, a witness qualified as an expert by knowledge, skill, experience,
13 training, or education, may testify thereto in the form of an opinion or otherwise, if

1 the testimony is based upon sufficient facts or data, the testimony is the product of
2 reliable principles and methods, and the witness has applied the principles and
3 methods reliably to the facts of the case.”.

4 **4.** Page 28, line 22: after that line insert:

5 “**SECTION 37m.** 907.025 of the statutes is created to read:

6 **907.025 Testimony by experts; criminal and civil forfeiture actions. (1)**

7 In a criminal or civil forfeiture action, if scientific, technical, or other specialized
8 knowledge will assist the trier of fact to understand the evidence or to determine a
9 fact in issue, a witness qualified as an expert by knowledge, skill, experience,
10 training, or education, may testify thereto in the form of an opinion or otherwise.

11 **(2)** Notwithstanding sub. (1), the testimony of an expert witness may not be
12 admitted if the expert witness is entitled to receive any compensation contingent on
13 the outcome of any claim or case with respect to which the testimony is being
14 offered.”.

15 **5.** Page 30, line 25: delete “907.01 (3) and” and substitute “907.01 (3),”.

16 **6.** Page 30, line 25: before “of the statutes” insert “, and 907.025”.

17 **(END)**