



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2009 Wisconsin Act 259**  
[2009 Senate Bill 573]

**Public Access to Certain Shared  
Law Enforcement Records**

*2009 Wisconsin Act 259* regulates public access to certain shared law enforcement records.

Act 259 provides that the Office of Justice Assistance is not the custodian of records received from law enforcement agencies relating to arrest reports, incident reports, and other information relating to persons suspected of committing crimes that are collected by the office for information sharing purposes. The legal custodian of any record of this type is the law enforcement agency that provides the information to the office. If the office or any other law enforcement agency receives an open record request for access to the record, the office or the other law enforcement agency must deny the request.

Act 259 also provides that a local information technology authority holding a law enforcement record for the primary purpose of information storage, information technology processing, or other information technology usage is not the legal custodian of the record. The legal custodian of this type of record is the authority for which the record is stored, processed, or otherwise used. The local information technology authority must deny an open record request relating to this type of record.

***Effective date:*** The Act takes effect on May 22, 2010.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.state.wi.us/>.