



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2001 Assembly Bill 157

Assembly Amendment 1

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2001 Assembly Bill 157 prohibits certain felony offenders from possessing body armor. The bill contains several exemptions from this prohibition.

Assembly Amendment 1 addresses the apparent inconsistency between the exemptions set forth in subs. (5) and (6). Under the exemption in sub. (5), a person who is furnishing or has furnished information to a law enforcement officer or is assisting or has assisted a law enforcement officer relating to a possible law violation must apply for an exemption and meet certain prescribed standards before he or she may be permitted to possess body armor. In contrast, under the exemption in sub. (6), a person in the actual custody of a law enforcement officer is permitted to wear body armor if he or she is wearing the body armor at the “request or direction of the law enforcement officer or correctional officer.” Assembly Amendment 1 addresses the apparent inconsistency between subs. (5) and (6) by authorizing the wearing of body armor by a witness or informer who is furnishing or has furnished information to a law enforcement agency or is assisting or has assisted a law enforcement agency without the need to comply with the application process if the person is wearing the body armor *at the request or direction* of the law enforcement agency. If the witness or informer requests to possess body armor independent of the request or direction of a law enforcement agency, he or she must comply with the application process set forth in the bill.

Passage of Assembly Bill 157, as amended by Assembly Amendment 1, was recommended by the Assembly Committee on Criminal Justice on a vote of Ayes, 10, Noes, 1.