



2013 SENATE BILL 153

April 25, 2013 - Introduced by Senators HARS DORF, KEDZIE, CARPENTER, G UDEX, HANSEN, JAUCH, LASSA, LEHMAN, MOULTON, OLSEN, PETROWSKI, RISSER and SHILLING, cosponsored by Representatives LOUDENBECK, BALLWEG, BERCEAU, BERNARD SCHABER, BIES, BILLINGS, BORN, BROOKS, ENDSLEY, HEBL, HINTZ, JACQUE, KERKMAN, KLEEFISCH, T. LARSON, MARKLEIN, MURPHY, MURSAU, OHNSTAD, A. OTT, PRIDEMORE, RICHARDS, RIPP, SCHRAA, STEINEKE, STRACHOTA, TITTL, WRIGHT and SWEARINGEN. Referred to Committee on Transportation, Public Safety, and Veterans and Military Affairs.

1 **AN ACT** *to create* 801.05 (11m) and 813.015 of the statutes; **relating to:**
2 jurisdiction in matters relating to domestic abuse restraining orders and
3 injunctions, child abuse restraining orders and injunctions, and harassment
4 restraining orders and injunctions.

Analysis by the Legislative Reference Bureau

Under current law, a court may entertain a civil action only when the court has jurisdiction over the subject matter of the action and over the persons who are served in the action. Jurisdiction is conferred by the U.S. Constitution, the Wisconsin Constitution, and by statute.

This bill clarifies when a court has subject matter and personal jurisdiction in certain actions for restraining orders or injunctions in cases of domestic abuse, child abuse, or harassment. Under the bill, a court has jurisdiction of the subject matter to entertain those actions regardless of whether the alleged abuse or harassment occurred within the state. Under the bill, a court has personal jurisdiction over a person who is in another state if any of the following applies:

1. The abuse or harassment alleged in the action could have an effect in Wisconsin.
2. The petitioner or alleged child victim resides or is living temporarily in Wisconsin.
3. Jurisdiction is otherwise permissible under the constitution of the United States or of the state of Wisconsin.

