

State of Wisconsin



2003 Assembly Bill 548

Date of enactment: **December 12, 2003**
Date of publication*: **December 30, 2003**

2003 WISCONSIN ACT 105

AN ACT to create 808.07 (2m) of the statutes; relating to: limiting the amount of bond set by a court in a civil action.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 808.07 (2m) of the statutes is created to read:

808.07 (2m) LIMIT ON UNDERTAKING. (a) During the pendency of an appeal of a judgment in any civil action, the court shall set the amount of the undertaking to be furnished by all appellants collectively in order to stay the execution of the judgment during appellate review, but the undertaking shall not exceed \$100,000,000.

(b) Notwithstanding par. (a), if an appellee proves by a preponderance of the evidence that an appellant is dissipating assets outside the ordinary course of business to avoid payment of a judgment, a court may enter any order necessary to protect the appellee and may require the appellant to post a bond in an amount not to exceed the amount of the judgment.

SECTION 2. Initial applicability.

(1) This act first applies to actions commenced or pending on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].