



WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

2003 Senate Bill 75

Assembly Amendment 1

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Current law generally prohibits the sale of fireworks and the possession of fireworks with the intent to sell them. The exceptions are that fireworks may be sold to a person holding a valid user's permit, to a city, village, or town, or for certain specified purposes such as in a manufacturing process.

Current law authorizes a city, village, or town to issue a fireworks user's permit if certain requirements are met. Current law also generally limits local government liability for damages, injury, or death to \$50,000. [See s. 893.80 (3), Stats.]

2003 Senate Bill 75 provides that no city, village, or town, or committee, official, or employee of a city, village, or town, is civilly liable for damage to any person or property caused by fireworks *by reason of issuing* a permit, in accordance with applicable legal requirements, that authorized the purchase, possession, or use of the fireworks.

Assembly Amendment 1 replaces the phrase "*by reason of issuing*" with the phrase "*for the sole reason that the city, village, or town issued.*"

2003 Senate Bill 75 was introduced on March 18, 2003, by the Joint Legislative Council and referred to the Senate Committee on Judiciary, Corrections and Privacy. The committee held a public hearing and executive session on the bill on June 10, 2003. The committee recommended passage of the bill on a vote of Ayes 4, Noes 1. The Senate passed the bill on a voice vote on October 22, 2003. The bill was referred to the Assembly Committee on Urban and Local Affairs, which recommended concurrence on a vote of Ayes 5, Noes 3, on January 28, 2004. On March 10, 2004, Representative Richards offered, and the Assembly adopted, Assembly Amendment 1 and the Assembly concurred in the bill as amended on a voice vote.

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