



## 2013 ASSEMBLY JOINT RESOLUTION 61

October 10, 2013 - Introduced by Representatives RICHARDS, BARCA, BARNES, BERCEAU, BERNARD SCHABER, BILLINGS, DOYLE, GENRICH, GOYKE, HEBL, HESSELBEIN, JOHNSON, KAHL, KESSLER, KOLSTE, MASON, OHNSTAD, POPE, SARGENT, SHANKLAND, C. TAYLOR, VRUWINK, WRIGHT, YOUNG and ZAMARRIPA, cosponsored by Senators VINEHOUT, C. LARSON, CARPENTER, HARRIS, LEHMAN, RISSER and WIRCH. Referred to Committee on Judiciary.

1     **To renumber** section 10 of article IV; and **to create** section 10 (2) of article IV of the  
2             constitution; **relating to:** requiring the legislature to enact laws requiring  
3             reasonable notice of and public access to meetings of governmental bodies,  
4             including legislative committees, and making members of the legislature  
5             subject to citations and civil penalties for violations of such laws (first  
6             consideration).

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### ***Analysis by the Legislative Reference Bureau***

On June 14, 2011, in *Ozanne v. Fitzgerald*, the Wisconsin Supreme Court held that under the constitutional separation of powers, the courts will not apply the notice and public access requirements of the open meetings law to meetings of legislative bodies.

The constitution also prohibits arrest of members of the legislature except for treason, felony, or breach of the peace and exempts members from civil process during the legislative session and for 15 days before and after the session.

This constitutional amendment, proposed to the 2013 legislature on first consideration, requires the legislature to enact laws requiring reasonable notice of and public access to meetings of governmental bodies, including legislative committees, and making members of the legislature subject to citations and civil penalties for violations of such laws.

