State of Wisconsin
1995 - 1996 LEGISLATURE

LRB-2558/1
RCT:kmg:jlb

1995 ASSEMBLY BILL 251

March 23, 1995 – Introduced by Representatives SKINDRUD, MUSSER, AINSWORTH, SILBAUGH, HAHN, OWENS, OTT and WARD. Referred to Committee on Agriculture.

AN ACT ***to amend*** 90.04 of the statutes; **relating to:** damage done by horses, sheep and goats.

Analysis by the Legislative Reference Bureau

Under current law, construction of a fence does not relieve the owner of swine from damage that the swine commit on adjoining enclosed land. This bill extends that rule to damage committed by horses, sheep and goats.

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

SECTION 1. 90.04 of the statutes is amended to read:

90.04 Effect of fences on action for trespass by animals. Owners of lands who do not maintain and keep in repair lawful partition fences ~~shall~~ may not ~~be entitled to~~ recover any damages ~~whatever~~ for trespasses by the animals of owners of any adjoining lands with whom partition fences might have been maintained if such lands had been enclosed; but the construction of such a fence ~~shall~~ does not relieve the owner of swine, horses, sheep or goats from liability for any damage they commit upon the enclosed premises of an adjoining owner.

(END)