

2001 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-SB55)

Received: 06/21/2001

Received By: nelsorp1

Wanted: As time permits

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Raschka

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Addl. Drafters:

Subject: Courts - immunity liability

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

ARC:.....Raschka - AM1,

Topic:

Eliminating recovery for personal injury while committing a felony

Instructions:

See Attached

Drafting History:

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nelsorp1 06/21/2001	wjackson 06/21/2001		_____ _____			
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FE Sent For:

<END>

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1?	nelsorp1	1/1 WLJ 6/21	KJ 6/21	SL/PJ 6/21			

FE Sent For:

<END>

RPN
1333

Reserve judge requirement (1999 AB 826)

This bill prohibits the appointment of any person as a reserve judge if that person was defeated at the most recent time that he or she sought election to a circuit court judgeship.

Fair employment (2001 AB 186)

Permitting an employer to refuse to employ or to terminate from employment an individual who as been convicted of a felony and who has not been pardoned.

RPN
1336

Drug Dealer Liability (L&B 2602/P2)

Send to Art. 2

Creating liability for a person involved in the distribution, possession or sale of illegal drugs.

Sex offenders working with children (1999 AB 284)

Prohibit child sex offenders from working or volunteering with children and providing a penalty.

RPN
1339

Civil forfeitures for criminal acts (1999 SB 78)

Eliminating recovery for personal injury for persons injured while involved in a felony.

Justice

Attorney General Authority In Civil Rights Actions and Inquests (Comparative Document JFC/Gov. p. 482, #19)

RPN
1343

Remove part of the state statute pertaining to **16510 Civil rights enforcement.** If any person, whether or not acting under color of law, interferes with the exercise or enjoyment by any individual of a right secured by the constitution or laws of the United States, or of a right secured by the constitution or laws of this state, the attorney general may bring an action for injunction or other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right secured. *No Fiscal Effect.*

- Corrections package agreed to by Kaufert, Huber and Coggs saved \$44 million GPR (Motion 1250)

- Corrections package passed out of JFC saved \$36.1 million GPR + \$10 million debt service = Total \$46.3 million

ARC package

Spends \$535,000

Saves \$ 16,033,400

2001

Date (time) needed soon

LRB b 133911

**ARC CAUCUS BUDGET AMENDMENT
[ONLY FOR CAUCUS]**

RPW: WLJ:

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT
TO ASSEMBLY SUBSTITUTE AMENDMENT 1
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

√ #. Page 1219, line 4: after that line insert
(insert 1219-4) ↓

√ #. Page 1396 6 line 6: after that line insert
(insert 1795-13) ↓

~~#. Page, line:~~
~~#. Page line:~~
~~#. Page, line:~~
~~#. Page, line:~~

(END)

inserts

1999 SENATE BILL 78

March 10, 1999 - Introduced by Senators WELCH, FITZGERALD, ROESSLER, COWLES, DRZEWIECKI, DARLING, SCHULTZ, HUELSMAN and BRESKE, cosponsored by Representatives LADWIG, KAUFERT, SYKORA, SUDER, GUNDRUM, PLALE, AINSWORTH, KREUSER, HAHN, HASENOHRL, URBAN, RYBA, SERATTI, STASKUNAS, ALBERS, LASSA, PETROWSKI, STONE, MUSSER, SKINDRUD, GROTHMAN, HOVEN, BRANDEMUEHL, SPILLNER, GOETSCH, FREESE, NASS, F. LASEE, M. LEHMAN, GUNDERSON and PLOUFF. Referred to Committee on Judiciary and Consumer Affairs.

1 AN ACT to create 895.78 of the statutes; relating to: eliminating recovery for
2 personal injury for persons injured while involved in a felony.

Analysis by the Legislative Reference Bureau

This draft prevents a person from recovering damages for any injury that he or she incurs or from his or her death if the injury or death resulted from his or her act that is a felony and he or she is convicted of a felony for that act.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

② 9871m

3 SECTION A. 895.78 of the statutes is created to read:

4 **895.78 Limiting felon's right to damages.** (1) No person may recover
5 damages for an injury to real or personal property if the injury was incurred while
6 committing, or as a result of committing, an act that constituted a felony and the
7 person was convicted of a felony for that act.

1219-4

SENATE BILL 78

1249-41
2
3
(2) No person may recover damages for death or for personal injury if the injury or death was incurred while committing, or as a result of committing, an act that constituted a felony and the person was convicted of a felony for that act. ✓/⊙

4 SECTION 2. Initial applicability.

1795-13
5
6
6m (S) Recovery barred for damages during felony
(1) This act first applies to a death or injury that occurs on the effective date of this subsection. ⊙ The treatment of section 895.78 of the statutes

7 (END) of inserts

ARC:.....Raschka - AM1, Eliminating recovery for personal injury while committing a felony

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS ASSEMBLY AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1219, line 4: after that line insert:

3 **"SECTION 3871m.** 895.78 of the statutes is created to read:

4 **895.78 Limiting felon's right to damages.** (1) No person may recover
5 damages for an injury to real or personal property if the injury was incurred while
6 committing, or as a result of committing, an act that constituted a felony and the
7 person was convicted of a felony for that act.

8 (2) No person may recover damages for death or for personal injury if the injury
9 or death was incurred while committing, or as a result of committing, an act that
10 constituted a felony and the person was convicted of a felony for that act."

