

## 2003 SENATE BILL 119

April 16, 2003 – Introduced by Senators KANAVAS, WELCH, ROESSLER, KEDZIE, LAZICH and HARSDORF, cosponsored by Representatives M. LEHMAN, HAHN, LADWIG, KREIBICH, MUSSER, AINSWORTH, HINES, TOWNSEND, MCCORMICK, BIES, MILLER and KAUFERT. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

1     **AN ACT** *to renumber* 895.35; and *to create* 895.35 (2) of the statutes; **relating**  
2           **to:** payment of litigation expenses of emergency medical services personnel, fire  
3           fighters, and law enforcement or correctional officers.

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### *Analysis by the Legislative Reference Bureau*

Current law requires a municipality (a city, town, village, school district, technical college district, or county) to pay the judgment and costs of a municipal officer or employee who is sued in his or her official capacity or for actions taken in the scope of his or her employment. Current law also permits a municipality to pay the reasonable litigation expenses of a municipal officer against whom criminal charges or a civil lawsuit not involving the recovery of damages is brought.

This bill requires the municipality to pay these litigation expenses for an emergency medical services technician, first responder, fire fighter, or law enforcement or correctional officer unless the person resigns before the expenses are incurred or his or her employment is terminated for cause.

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

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

4           **SECTION 1.** 895.35 of the statutes is renumbered 895.35 (1).

