

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB845)

Received: 02/25/2004

Received By: dkennedy

Wanted: As time permits

Identical to LRB:

For: Gregg Underheim (608) 266-2254

By/Representing: Randy (aide)

This file may be shown to any legislator: NO

Drafter: dkennedy

May Contact:

Addl. Drafters:

Subject: Health - public health

Extra Copies:

Submit via email: YES

Requester's email: Rep.Underheim@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Manufacturer immunity from liability

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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02/25/2004 12:34:10 PM

Page 2

FE Sent For:

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dkennedy

1 WJ 2/25

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ps

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ps/cr
<END>

FE Sent For:

Kennedy, Debora

From: Thorson, Randy
Sent: Wednesday, February 25, 2004 12:04 PM
To: Kennedy, Debora
Cc: Sweet, Richard; 'mmettner@broydrick.com'
Subject: AB 845 am.

Debora,

Gregg Underheim would like to request an amendment to AB 845. (The bill is on today's calendar.) The amendment would be item 1. from LRBa2350/1 and the following material that would replace page 4, lines 5 to 7, of the bill:

(c) The immunity under par. (a) does not apply to a manufacturer of a drug or supply that is flawed in its design or manufacture. In that case, the liability of the manufacturer may be no greater than the liability that would have existed but for the donation.

P.S. This is Dick Sweet sending this from Randy Thorson's computer.

NOW

ASSEMBLY AMENDMENT,
TO 2003 ASSEMBLY BILL 845

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

2 ↓ 1. Page 3, line 21: delete "par. (b)" and substitute "pars. (b) and (c)".

3 2. Page 4, line 5: delete "cancer drug by the manufacturer of the cancer drug"
4 and substitute "drug under this section".

5 3. Page 4, line 6: after "of the" insert "drug".

6 (END)

Page 4, line 5: delete lines 5 to 7 and substitute:

91 (c) ^{immunity} The immunity under par. (a) does not apply to
a manufacturer of a drug or supply that is
flawed in its design or manufacture. In that
instance the manufacturer's liability may be
no greater than the manufacturer's liability
that would exist but for the donation.