

**2003 DRAFTING REQUEST**

**Senate Amendment (SA-SB207)**

Received: 03/02/2004

Received By: rnelson2

Wanted: Soon

Identical to LRB:

For: Tim Carpenter (608) 266-8535

By/Representing:

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Courts - limitations

Extra Copies:

Submit via email: YES

Requester's email: Sen.Carpenter@legis.state.wi.us

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Clergy abuse cause of action

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**Instructions:**

See Attached add section 10 of -0042/7

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**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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FE Sent For:

**<END>**

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/?	rnelson2	1 3/2 jld	OM 3-2	OM 3-2 /sk			

FE Sent For:

<END>

**Nelson, Robert P.**

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**From:** Sen.Carpenter  
**Sent:** Tuesday, March 02, 2004 9:46 AM  
**To:** Nelson, Robert P.  
**Cc:** Sen.Carpenter  
**Subject:** Amendment to SB 207

**Importance:** High

Robert Nelson:

Please draft an amendment to SB 207 that provides a window of one year for past victims of priest sexual abuse to bring an action as described by the bill.

Tim is informed that this bill may be brought up for executive session before the week is done.

Please call me to confirm that you have recieved this message, and so we can discuss any questions that you may have.

Thank you!

Regards,  
G. Stuart Ewy  
Chief of Staff

Office Of Senator Tim Carpenter  
State Capitol Building  
Room 126S  
PO BOX 7882  
Madison, WI 53707-7882

(608) 266-8535

2003

Date (time) needed 3/3 10 AM

LRBa 248011

AMENDMENT

RPH: jld:

See form AMENDMENTS — COMPONENTS & ITEMS.

S A AMENDMENT

~~TO S A AMENDMENT (LRBa)~~  
~~TO S A SUBSTITUTE AMENDMENT (LRBs)~~  
TO 2003 (SB) SJR SR AB AJR AR 207 [LRB-]

At the locations indicated, amend the b, cc as follows:  
(fill ONLY if "engrossed ..." or "as shown by .....")

#. Page ?, line 9: after that line insert:

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

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

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

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

**BILL**

1 ~~before the victim reaches the age of 31 40 years or be barred, except as provided in~~  
2 ~~sub. (2d) (c).~~

3 **SECTION 9. Nonstatutory provisions.**

4 (1) Notwithstanding section 893.05 of the statutes, and section 893.587 of the  
5 statutes, as affected by this act, a person who was injured as the result of sexual  
6 contact by a member of the clergy at any time in the past may bring an action under  
7 section 895.71 (2) of the statutes, as created by this act, for all damages caused by  
8 that sexual contact within one year after the effective date of this subsection. The  
9 person injured need not show a failure to report the sexual contact under section  
10 895.71 (2) (b) 1. of the statutes, as created by this act, in order to recover under this  
11 subsection.

12 **SECTION 11. Initial applicability.**  
13 (1) The treatment of sections 48.981 (1) (cy) and (cx) and (2) (bm) and 905.06  
14 (4) of the statutes first applies to observations made or information received by a  
15 member of the clergy on the effective date of this subsection.  
16 (2) The treatment of sections 893.587 and 939.74 (2) (c) of the statutes first  
17 applies to actions not barred on the effective date of this subsection.

18 (END)