

2003 SENATE BILL 75

1 **AN ACT** *to create* 167.10 (7m) of the statutes; **relating to:** creating a civil liability
2 exemption for certain municipalities and their agents that issue fireworks
3 permits.

Analysis by the Legislative Reference Bureau

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Special Committee on Review of Fireworks Law. Current law generally prohibits the sale of fireworks and the possession of fireworks with the intent to sell them. The exceptions are that fireworks may be sold to a person holding a valid user's permit, to a city, village, or town, or for certain specified purposes such as in a manufacturing process. The law authorizes a city, village, or town to issue a user's permit if certain requirements are met. Current law also generally limits local government liability for damages, injury, or death to \$50,000. [See s. 893.80 (3).] The bill provides that no city, village, or town, or committee, official, or employee of a city, village, or town, is civilly liable for damage to any person or property caused by fireworks by reason of issuing a permit, in accordance with applicable legal requirements, that authorized the purchase, possession, or use of the fireworks.

4 **SECTION 1.** 167.10 (7m) of the statutes is created to read:

SENATE BILL 75**SECTION 1**

1 167.10 **(7m)** MUNICIPAL LIABILITY. No city, village, or town, or committee,
2 official, or employee of a city, village, or town, is civilly liable for damage to any person
3 or property caused by fireworks for the sole reason that the city, village, or town
4 issued a permit in accordance with the requirements of sub. (3) and any applicable
5 requirements authorized under sub. (5), that authorized the purchase, possession,
6 or use of the fireworks.

7

(END)