

**2003 DRAFTING REQUEST**

**Senate Amendment (SA-SB75)**

Received: **10/17/2003**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Fred Risser (608) 266-1627**

By/Representing: **Leslie**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - fireworks**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

SA (municipal liability under fireworks laws) to SB-75 (municipal liability under fireworks laws)

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**Instructions:**

See Attached

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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>
/?	rmarchan 10/17/2003	kgilfoy 10/17/2003		_____			
/1			jfrantze 10/20/2003	_____	sbasford 10/20/2003	sbasford 10/20/2003	

FE Sent For:

<END>

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1?	rmarchan	11-10/17 kmg	6/10/20	Self 10/20			

FE Sent For:

<END>

## Marchant, Robert

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**From:** Travis, Leslie  
**Sent:** Friday, October 17, 2003 11:56 AM  
**To:** Marchant, Robert  
**Subject:** Amendment request to SB75, from Senator Risser

Hi Robert,

Would you please draft an amendment to Senate Bill 75 for Senator Risser:

Page 2 line 4, after the word "fireworks", delete the word "by" and add in its place, for the sole

line 6, after the word "fireworks." add Nothing in this section creates an immunity for negligent actions by a town, committee, official, or employee of a city, village, or town outside of the issuance of permits.

Thanks so much, and  
If you have any questions, please feel free to contact me,  
Leslie Travis 266-1627



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBa12082

RJM: King

1

10-21-03

RJM

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

SENATE AMENDMENT,  
TO 2003 SENATE BILL 75

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

2 ✓ 1. Page 2, line 4: delete "by reason of issuing" and substitute "for the sole  
3 reason that the city, village, town, committee, official, or employee issued".

4 ✓ 2. Page 2, line 6: after "fireworks." insert "This subsection does not create  
5 immunity from civil liability for negligence, except for negligently issuing a permit  
6 that authorizes the purchase, possession, or use of fireworks.".

7 (END)

negligence in

## 2003 SENATE BILL 75

March 18, 2003 - Introduced by JOINT LEGISLATIVE COUNCIL. Referred to  
Committee on Judiciary, Corrections and Privacy.

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.

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### *Analysis by the Legislative Reference Bureau*

Under this bill, a city, village, or town, or committee, official, or employee of a city, village, or town, may not be held civilly liable for damage to any person or property caused by fireworks by reason of issuing a fireworks permit in accordance with statutory and local requirements.

This bill is further explained in the PREFATORY NOTE provided by the Joint Legislative Council in the bill.

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***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

