AN ACT to renumber 118.291 (1); to renumber and amend 118.291 (2); and to create 118.291 (1g) and 118.291 (2) (b) of the statutes; relating to: the possession and use of inhalers in private schools.

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

SECTION 1. 118.291 (1) of the statutes is renumbered 118.291 (1r).

SECTION 2. 118.291 (1g) of the statutes is created to read:

118.291 (1g) In this section:
(a) "Asthma" means a chronic inflammatory disease of the airways, characterized by airway obstruction, which is at least partially reversible and which manifests as increased bronchial responsiveness to a variety of stimuli.
(b) "School" includes a public and a private school.

SECTION 3. 118.291 (2) of the statutes is renumbered 118.291 (2) (a) and amended to read:

118.291 (2) (a) No school district, school board or school district employee is civilly liable for damage injury to a pupil caused by a school district employee who prohibits a pupil from using an inhaler because of the employee’s good faith belief that the requirements of sub. (1r) had not been satisfied or who allows a pupil to use an inhaler because of the employee’s good faith belief that the requirements of sub. (1r) had been satisfied.

SECTION 4. 118.291 (2) (b) of the statutes is created to read:

118.291 (2) (b) No private school or private school employee is civilly liable for injury to a pupil caused by a private school employee who prohibits a pupil from using an inhaler because of the employee’s good faith belief that the requirements of sub. (1r) had not been satisfied or who allows a pupil to use an inhaler because of the employee’s good faith belief that the requirements of sub. (1r) had been satisfied.