

2005 DRAFTING REQUEST

Assembly Amendment (AA-AB778)

Received: **10/25/2005**

Received By: **rnelson2**

Wanted: **Soon**

Identical to LRB:

For: **Tony Staskunas (608) 266-0620**

By/Representing:

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Courts - immunity liability**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Actions against lead paint manufacturers

Instructions:

See Attached delete p. 4, ls.7 & 8

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>
/1	rnelson2 10/25/2005	kfollett 10/25/2005	pgreensl 10/25/2005	_____	lnorthro 10/25/2005	lnorthro 10/25/2005	

FE Sent For:

<END>

2005 DRAFTING REQUEST

Assembly Amendment (AA-AB778)

Received: **10/25/2005**

Received By: **rnelson2**

Wanted: **Soon**

Identical to LRB:

For: **Tony Staskunas (608) 266-0620**

By/Representing:

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Courts - immunity liability**

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Actions against lead paint manufacturers

Instructions:

See Attached delete p. 4, ls.7 & 8

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>
/1	rnelson2	11 k/f 10/25	10/25 P8	10/25 see			

FE Sent For:

<END>



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa1235/1

RPN: *ljf*

Wanted 10/25 PM

**ASSEMBLY AMENDMENT ,
TO 2005 ASSEMBLY BILL 778**

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

2 **1.** Page 4, line 2: delete lines 2 to 8 and substitute:

3 "of a product is liable under sub. (4) if more (insert A)

4 (END)

*no
FF*

Handwritten annotations: a large bracket underlines the amendment text, and an arrow points from the word "substitute" to the new text.

insert A

1 (5) LIMITATION ON LIABILITY. No manufacturer, distributor, seller, or promoter
2 of a product is liable under sub. (4) if any of the following conditions exist:

3 (a) More than 25 years have passed between the date that the manufacturer,
4 distributor, seller, or promoter of a product last manufactured, distributed, sold, or
5 promoted a product chemically identical to the specific product that allegedly caused
6 the claimant's injury and the date that the claimant's cause of action accrued.)

7 (b) The period of the manufacturing of a product chemically identical to the
8 specific product that allegedly caused the claimant's injury was more than 5 years.

9 (6) APPORTIONMENT OF LIABILITY. If more than one manufacturer, distributor,
10 seller, or promoter of a product is found liable for the claimant's injury or harm under
11 subs. (4) and (5), the court shall apportion liability among those manufacturers,
12 distributors, sellers, and promoters, but that liability shall be several and not joint.

13 **SECTION 2. Initial applicability.**

14 (1) This act first applies to actions commenced on the effective date of this
15 subsection.

16 **SECTION 3. Effective date.**

17 (1) This act takes effect on first day of the 2nd month beginning after
18 publication.

19 (END)