

**2005 DRAFTING REQUEST**

**Bill**

Received: **10/15/2004**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 7-0370**

By/Representing: **Mukasa**

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Justice - civil**

Extra Copies:

Submit via email: **NO**

---

**Pre Topic:**

DOA:.....Mukasa, BB0197 -

---

**Topic:**

Civil rights prosecutorial authority

---

**Instructions:**

See Attached

---

**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>
/?				_____			State
/1	rnelson2 10/22/2004	jdyer 10/29/2004	pgreensl 10/29/2004	_____	sbasford 10/29/2004		

FE Sent For:

<END>

**2005 DRAFTING REQUEST**

**Bill**

Received: **10/15/2004**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 7-0370**

By/Representing: **Mukasa**

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

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Justice - civil**

Extra Copies:

Submit via email: **NO**

---

**Pre Topic:**

DOA:.....Mukasa, BB0197 -

---

**Topic:**

Civil rights prosecutorial authority

---

**Instructions:**

See Attached

---

**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	1/10/29 jld	10/29/04 p8	10/29/04 p8/103			

FE Sent For:

<END>

## 2005-07 Budget Bill Statutory Language Drafting Request

- Topic: Civil rights violation prosecutorial authority.
- Tracking Code: (Assigned by Government Operations Team)
- SBO team: Tax and Justice
- SBO analyst: Roger Mukasa
  - Phone: 7-0370
  - Email: [Roger.Mukasa@doa.state.wi.us](mailto:Roger.Mukasa@doa.state.wi.us)
- Agency acronym: DOJ
- Agency number: 455

B30197

**Department of Administration (DOA) Drafting Request  
to the Legislative Reference Bureau**

- Draft for Possible 2005-07 Budget Bill Introduction
- Draft for Possible Introduction as Department-sponsored or Independent Bill

<b><u>Subject:</u></b>	Department of Justice
<b><u>Request Date:</u></b>	October 13, 2004
<b><u>DOA Contact for Drafting Information (phone):</u></b>	Roger Mukasa, 7-0370 John Koskinen, 6-2081

**Brief Description of Intent:**

Provide the Attorney General with authority to prosecute civil rights violations, bringing actions for injunction or other appropriate equitable relief against a person who interferes with the exercise or enjoyment by any individual of a right guaranteed by the US or Wisconsin constitution.

**Statutory Changes Proposed:**

See intent.

**Related Statutory Citations (if appropriate):**

Not known.

- Additional Material(s) attached.



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-0546/1

RPN: n:...

SOON

JLD

DOA:.....Mukasa, BB0197 - Civil rights prosecutorial authority

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 do not gen  
AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

COURTS AND PROCEDURE ✓

✓ \* OTHER COURTS AND PROCEDURE ✓

This bill gives DOJ the authority to bring an action for injunctive or other equitable relief against a person who interferes with the exercise or enjoyment by an individual of a right secured by the constitution or laws of this state or of the United States.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

2

(END)

insert 1-2 ✓

*Ingerf 1-2*

1 thereto shall be vested exclusively in the office of the medical examiner. Except as  
 2 provided under s. 59.38 (5), the board shall appoint the medical examiner. The office  
 3 may be occupied on a full-time or part-time basis, and the officeholder shall be paid  
 4 compensation as the board by ordinance provides. The duties performed by the  
 5 county coroner and not vested in the medical examiner shall be performed by the  
 6 clerk. The medical examiner may appoint such assistants as the board authorizes.  
 7 Whenever requested by the court, attorney general, or district attorney, the medical  
 8 examiner shall testify to facts and conclusions disclosed by autopsies performed by  
 9 him or her, at his or her direction or in his or her presence; shall make physical  
 10 examinations and tests incident to any matter of a criminal nature up for  
 11 consideration before either the court, attorney general, or district attorney upon  
 12 request; shall testify as an expert for either the court or the state in all matters where  
 13 the examinations or tests have been made; and shall perform such other duties of a  
 14 pathological or medicolegal nature as may be required.

15 ~~SECTION 2.~~ 165.10 of the statutes is created to read:

16 **165.10 Civil rights enforcement.** If any person, whether or not acting under  
 17 color of law, interferes with the exercise or enjoyment by any individual of a right  
 18 secured by the constitution or laws of the United States, or of a right secured by the  
 19 constitution or laws of this state, the attorney general may bring an action for  
 20 injunction or other appropriate equitable relief to protect the peaceable exercise or  
 21 enjoyment of the right secured. *(end ins 1-2)*

22 ~~SECTION 3.~~ 979.01 (1m) of the statutes is amended to read:

23 979.01 (1m) The coroner or medical examiner receiving notification under sub.  
 24 (1) or (1g) shall immediately notify the attorney general and district attorney.

25 ~~SECTION 4.~~ 979.015 of the statutes is amended to read:



DOA:.....Mukasa, BB0197 - Civil rights prosecutorial authority

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

---

*Analysis by the Legislative Reference Bureau*

**COURTS AND PROCEDURE**

**OTHER COURTS AND PROCEDURE**

This bill gives DOJ the authority to bring an action for injunctive or other equitable relief against a person who interferes with the exercise or enjoyment by an individual of a right secured by the constitution or laws of this state or of the United States.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

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

2 SECTION 1. 165.10 of the statutes is created to read:

3 **165.10 Civil rights enforcement.** If any person, whether or not acting under  
4 color of law, interferes with the exercise or enjoyment by any individual of a right  
5 secured by the constitution or laws of the United States, or of a right secured by the

1 constitution or laws of this state, the attorney general may bring an action for  
2 injunction or other appropriate equitable relief to protect the peaceable exercise or  
3 enjoyment of the right secured.

4 (END)