

ASSEMBLY BILL 958 (LRB -3825)

An Act to amend 166.03 (10); and to create 166.23 (4) and (5) of the statutes; relating to: civil liability exemption for assistance provided as the result of an emergency.

2006

02-09.	A.	Introduced by Representatives Wieckert, Loeffelholz, Nischke, F. Lasee, Krawczyk, Jeskewitz, Wood, Strachota, Gunderson, Kreibich, Bies, Sheridan, Musser, Petrowski, Ott, Montgomery, Friske, Pettis, Jensen, McCormick and Ballweg ; cosponsored by Senators Cowles, Lassa, Leibham, Grothman, Stepp, A. Lasee and Kedzie .	
01-31.	A.	Read first time and referred to committee on Housing	770
02-09.	A.	Public hearing held.	
02-22.	A.	Executive action taken.	
02-22.	A.	Assembly substitute amendment 1 offered by committee on Housing (LRB s0567)	847
02-28.	A.	Report Assembly Substitute Amendment 1 adoption recommended by committee on Housing, Ayes 6, Noes 0	857
02-28.	A.	Report passage as amended recommended by committee on Housing, Ayes 6, Noes 0	857
02-28.	A.	Referred to committee on Rules	857
03-02.	A.	Placed on calendar 3-7-2006 by committee on Rules.	
03-02.	A.	Made a special order of business at 11:21 A.M. on 3-7-2006 pursuant to Assembly Resolution 50	899
03-07.	A.	Read a second time	920
03-07.	A.	Assembly substitute amendment 1 adopted	920
03-07.	A.	Ordered to a third reading	920
03-07.	A.	Rules suspended	920
03-07.	A.	Read a third time and passed	920
03-07.	A.	Ordered immediately messaged	920
03-07.	S.	Received from Assembly	713
03-07.	S.	Read first time and referred to committee on Housing and Financial Institutions	715
04-12.	S.	Public hearing held.	
04-21.	S.	Executive action taken.	
04-21.	S.	Report introduction and adoption of Senate Substitute Amendment 1 recommended by committee on Housing and Financial Institutions, Ayes 7, Noes 0 (LRB s0697)	780
04-21.	S.	Report concurrence as amended recommended by committee on Housing and Financial Institutions, Ayes 7, Noes 0	780
04-21.	S.	Available for scheduling.	
04-26.	S.	Placed on calendar 4-27-2006 by committee on Senate Organization.	
04-27.	S.	Read a second time	805
04-27.	S.	Senate substitute amendment 1 adopted	805
04-27.	S.	Ordered to a third reading	805
04-27.	S.	Rules suspended	805
04-27.	S.	Read a third time and concurred in as amended	805
04-27.	S.	Ordered immediately messaged	806
04-27.	A.	Received from Senate amended and concurred in as amended (Senate substitute amendment 1 adopted) ...	1057
04-27.	A.	Referred to committee on Rules	1059
04-27.	A.	Placed on calendar 5-2-2006 by committee on Rules.	
05-02.	A.	Senate substitute amendment 1 concurred in	1086
05-02.	A.	Action ordered immediately messaged	1086

2005
ENROLLED BILL

05en A B- 958

ADOPTED DOCUMENTS:

Orig Engr

5 SubAmdt 1

05 50697 1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

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Date Enrolling Drafter

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**SENATE SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY BILL 958**

April 21, 2006 – Offered by COMMITTEE ON HOUSING AND FINANCIAL INSTITUTIONS.

1 **AN ACT to repeal and recreate** 166.03 (10) of the statutes; **relating to:** civil
2 immunity for persons who provide assistance during an emergency.

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

3 **SECTION 1.** 166.03 (10) of the statutes is repealed and recreated to read:

4 **166.03 (10) EXEMPTION FROM LIABILITY.** (a) No person who provides equipment,
5 materials, facilities, labor, or services is liable for the death of or injury to any person
6 or damage to any property caused by his or her actions if the person did so under all
7 of the following conditions:

8 1. Under the direction of the governor, the adjutant general, the governing
9 body, chief or acting chief executive officer, or head of emergency management
10 services of any county, town, municipality, or federally recognized American Indian
11 tribe or band in this state, the department of health and family services if that

1 department is designated by the governor under s. 166.03 (1) (b) 1., or the local health
2 department acting under s. 251.05 (3) (e).

3 2. In response to enemy action, a natural or man-made disaster, or a federally
4 declared state of emergency or during a state of emergency declared by the governor.

5 (b) This subsection does not apply if the person's act or omission involved
6 reckless, wanton, or intentional misconduct.

7 (c) This subsection does not affect the right of any person to receive benefits to
8 which he or she otherwise would be entitled under the worker's compensation law
9 or under any pension law, nor does it affect entitlement to any other benefits or
10 compensation authorized by state or federal law.

11 **SECTION 2. Initial applicability.**

12 (1) This act first applies to acts or omissions that occur on the effective date of
13 this subsection.

14 (END)