

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3112/P1dn
RPN:bjk:nwn

September 10, 2007

As you may be aware, the Wisconsin Supreme Court has held in the past that a statute of limitations extinguishes both the right and the remedy for the wrongdoing. The court has gone on to say that retroactive extension of the period of a statute of limitation amounts to a taking of a right without due process, and is thus unconstitutional. See *Doe v. Archdiocese of Milwaukee*, 211 Wis. 2d 312, (1997). This bill may be found unconstitutional by the court for that reason, but I cannot say with certainty that the court will find this bill unconstitutional.

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