2007 DRAFTING REQUEST

Senate Amendment (SA-SB537)

Received: **03/03/2008**   Received By: **rnelson2**

Wanted: **Today**   Identical to LRB:

For: **Lena Taylor (608) 266-5810**   By/Representing: **Eric**

This file may be shown to any legislator: **NO**   Drafter: **rnelson2**

May Contact: Addl. Drafters:

Subject: **Courts - civil procedure**   Extra Copies: **BAB**
            Courts - costs and fees

Submit via email: **YES**

Requester's email: **Sen.Taylor@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Representation of state employees in john doe proceedings

Instructions:

See Attached #2

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/1	rnelson2 03/03/2008	wjackson 03/03/2008	rschluet 03/03/2008	_____ _____	sbasford 03/03/2008	sbasford 03/03/2008	

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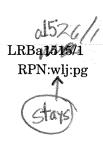| Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
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Today (3/3)

2007 − 2008 LEGISLATURE

LRBa1515/1
RPN:wlj:pg

a1526/1

stays

SENATE AMENDMENT ,

TO 2007 SENATE BILL 537

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

2   **1.** Page 1, line 3: after "proceedings" insert "and the provision of attorney

3   representation of state employees at John Doe proceedings".

4   **2.** Page 2, line 1: before that line insert:

5   "**SECTION 1g.** 895.46 (9) of the statutes is created to read:

6   895.46 **(9)** The protection afforded by this section applies to a proceeding under

7   s. 968.26 in which a state officer or state employee is a subject to charges for acting

8   within his or her official capacity, if that officer or employee is found to be acting

9   within the scope of his or her employment, and if the attorney general determines

10   that the state officer or state employee acted in good faith. Regardless of the

11   determination made by the attorney general, the protection afforded by this section

12   applies if the state officer or employee is not found guilty of the criminal action

13   commenced as a result of the proceeding under s. 968.26. This protection includes

1   the payment of reasonable attorney fees in defending the action and costs or fines

2   arising out of the action.".

3   **3.** Page 2, line 1: delete "**SECTION 1**" and substitute "**SECTION 1m**".

4   **(END)**