

2007 DRAFTING REQUEST

Senate Amendment (SA-SSA(LRBs0319/1)-SB537)

Received: **03/04/2008**

Received By: **chanaman**

Wanted: **As time permits**

Identical to LRB:

For: **Dan Kapanke (608) 266-5490**

By/Representing: **Andy**

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

Drafter: **chanaman**

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Subject: **Courts - costs and fees
Courts - miscellaneous**

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Submit via email: **YES**

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No specific pre topic given

Topic:

Add attorney fee provisions

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>
/?	chanaman 03/04/2008	wjackson 03/04/2008		_____			
/1			rschluet 03/04/2008	_____	lparisi 03/04/2008	lparisi 03/04/2008	

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Now

**SENATE AMENDMENT ,
TO 2007 SENATE BILL 537**

SSA CRB 0319/1 ✓

Substituted amendment

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

2 **1.** Page 1, line 3⁴ after "proceedings" insert "and the provision of attorney
3 representation of state employees at John Doe proceedings".

4 **2.** Page 2, line 1¹⁰ before that line insert:

5 "SECTION 1^{2p}g. 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)

Page 6, line 100 delete The treatment of section
968.26 (2) of the statute and substitute
This act