2015 DRAFTING REQUEST

Bill						·
Received	d: 4/17/201 5	5		Received By:	phurley	
For:	Julie Las	sa (608) 266-312	3	Same as LRB:	-2351	
May Contact:				By/Representing		
Subject:				Drafter:	phurley	
	Courts -	Courts - limitations		Addl. Drafters:		
				Extra Copies:		
Request	via email: er's email: copy (CC) to:	YES Sen.Lassa(elegis.wisconsii	n.gov		
Pre Top		en				
Topic:	011	1 1. (` 1'11			
Statute of	of limitations for	sexual assault of	a child			
Instruct	tions:					
redraft b	out with a 3 year	window				
Draftin	g History:					
Vers.	Drafted	Reviewed	Proofed	Submitted	<u>Jacketed</u>	Required
/?	phurley 4/17/2015	kfollett 4/23/2015				
/1				mbarman 4/24/2015	lparisi 7/30/2015	
FE Sent	For:					
	→ Nof	<u>. </u>	<end></end>			
	→ Not Nee	ded				

Hurley, Peggy

From:

Ford-Kelly, Jessica

Sent:

Friday, April 17, 2015 12:06 PM

To: Subject: Hurley, Peggy 2011 SB 345

Please redraft this bill, but include a 3 year window instead of a two year window, similar to what Minnesota just passed into law a few years ago.

Thank you.

Jessica Ford Kelly

Office of Senator Julie Lassa State Capitol, Room 126 South P.O. Box 7882 Madison, WI 53708 1-800-925-7491 tollfree 608-266-3123 local 608-282-3564 fax



State of Misconsin 2011 – 2012 LEGISLATURE



2011 SENATE BILL 345

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Compi

December 21, 2011 – Introduced by Senators Lassa, Taylor, Schultz, Olsen, S. Coggs and King, cosponsored by Representatives Pasch, C. Taylor, Stone, Grigsby, Spanbauer, Hebl., Doyle, Richards, Mason, Berceau, Bewley, Ringhand, Vruwink, Fields, Pøpe-Roberts, Roys, Sinicki, Hintz and Zepnick. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

AN ACT to renumber and amend 893.587; and to create 893.587 (1) and

893.587 (3) of the statutes; **relating to:** the statute of limitations for sexual contact with a child.

Analysis by the Legislative Reference Bureau

Under current law, the time a person has to bring an action (the statute of limitations) for an injury resulting from being sexually assaulted or subject to incest as a child, or from being subject to sexual contact by a member of the clergy as a child, is any time before the injured party reaches the age of 35.

This bill removes the time limit for bringing those actions. In addition, the bill applies this unlimited time period to a broader range of actions. Under the bill, there is no limit on the time a person has to bring an action for injury resulting from being subject, as a child, to any sexual contact by an adult or by an adult member of the clergy. The bill also revives any cause of action that was barred by the present statute of limitations and allows an injured party to bring that action for his or her injury within two years after the effective date of the bill.

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

Section 1. 893.587 of the statutes is renumbered 893.587 (2) and amended to

5 read:

SENATE BILL 345

893.587 (2) An action to recover damages <u>against any person</u> for injury caused						
by an act that would constitute a violation of s. 948.02, 948.025, 948.06, 948.085, or						
948.095 an adult's sexual contact with anyone under the age of 18 or by an act						
committed by an adult that would create a cause of action under s. 895.442 shall may						
be commenced before the injured party reaches the age of 35 years or be barred at						
any time.						
SECTION 2. 893.587 (1) of the statutes is created to read:						
893.587 (1) In this section:						
(a) "Person" means an individual, corporation, business trust, estate, trust,						
partnership, limited liability company, association, joint venture, or government;						
governmental subdivision, agency, or instrumentality; public corporation; or any						
other legal or commercial entity.						
(b) "Sexual contact" has the meaning given in s. 940.225 (5) (b).						
SECTION 3. 893.587 (3) of the statutes is created to read:						
893.587 (3) A cause of action described under sub. (2) that was barred by a						
statute of limitations or a time limit in effect before the effective date of this						
subsection [LRB inserts date], is revived and that action may be commenced						
within vears after the effective date of this subsection [LRB inserts date].						
(END)						

Parisi, Lori

From:

Ford-Kelly, Jessica

Sent:

Thursday, July 30, 2015 10:18 AM

To:

LRB.Legal

Subject:

Draft Review: LRB -2247/1 Topic: Statute of limitations for sexual assault of a child

Please Jacket LRB -2247/1 for the SENATE.