

2015 DRAFTING REQUEST

Assembly Amendment (AA-AB674)

Received: 2/2/2016 Received By: tdodge
For: John Spiros (608) 266-1182 Same as LRB:
May Contact: By/Representing: Erin
Subject: Health - miscellaneous Drafter: tdodge
Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Rep.Spiros@legis.wisconsin.gov
Carbon copy (CC) to: tamara.dodge@legis.wisconsin.gov
sarah.walkenhorstbarber@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Sanctions for isolating an incapacitated person

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 2/2/2016	wjackson 2/2/2016	_____			
/P1	tdodge 2/4/2016	kfollett 2/4/2016	_____	lparisi 2/2/2016		
/1			_____	lparisi 2/4/2016	lparisi 2/4/2016	

FE Sent For:

<END>

2/1 Erin from Rep Spiros's office

Sanctions for isolating incapacitated person

(sample language from other states)

remedies "The court, upon a motion or upon its own initiative, must impose upon an individual who is found to be knowingly isolating an incapacitated person an appropriate sanction, including an order to pay court costs and reasonable attorneys fees of the party or parties. No ~~such~~ sanction may be paid out of the visatee's estate."

"Notwithstanding actions available to the court under this section, a guardian who is found to be knowingly isolating an incapacitated person or has violated an order issued pursuant to this section is subject to discharge & replacement."



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa1880/?
TJD:...
wy P1

In: 2/2

Due Today

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO ASSEMBLY BILL 674

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

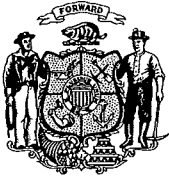
2 1. Page 2, line 18: after that line insert:

3 “(3) SANCTIONS; REMEDIES. Upon a motion or on the court’s own motion, if the
4 court finds during a hearing under sub. (2) that a person is knowingly isolating a
5 resident, the court shall order the person to pay court costs and reasonable attorneys
6 fees of the petitioner under sub. (2) and may order other appropriate remedies. No
7 costs, fees, or other sanctions may be paid from the resident’s finances or estate.

8 SECTION 2r. 54.68 (2) (cm) of the statutes is created to read:

9 54.68 (2) (cm) Knowingly isolating a ward from the ward’s family members or
10 violating a court order under s. 50.085 (2).”.

11 (END)



State of Wisconsin
2015 - 2016 LEGISLATURE

LRBa1880(P1)
TJD:wlj

In: 214

Due Today

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT,
TO ASSEMBLY BILL 674**

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

2 ^(B) 4 1. Page 2, line 18: after that line insert:

3 “(3) SANCTIONS; REMEDIES. Upon a motion or on the court’s own motion, if the
4 court finds during a hearing on a petition under sub. (2) that a person is knowingly
5 isolating a resident, the court shall order the person to pay court costs and reasonable
6 attorney fees of the petitioner under sub. (2) and may order other appropriate
7 remedies. No costs, fees, or other sanctions may be paid from the resident’s finances
8 or estate.

9 SECTION 2r. 54.68 (2) (cm) of the statutes is created to read:

10 54.68 (2) (cm) Knowingly isolating a ward from the ward’s family members or
11 violating a court order under s. 50.085 (2).”

12

(END)