



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Senate Bill 149	Senate Amendment 1
<i>Memo published:</i> October 16, 2015	<i>Contact:</i> David Moore, Staff Attorney (266-1946)

CURRENT LAW

Under current law, the statute of limitations for initiating a civil action on a contract or obligation, including an insurance contract, is generally six years. The statute of limitations for initiating a wrongful death suit is three years, and the statute of limitations for initiating a civil action seeking damages for an injury to real or personal property is six years.

2015 SENATE BILL 149

2015 Senate Bill 149 makes the following changes to the above statutes of limitations:

- The bill changes the statute of limitations for initiating a civil action on a contract, in cases in which the contract is a motor vehicle insurance policy, to three years.
- The bill changes the statute of limitations for initiating a wrongful death suit to two years for cases in which the death is caused by or arises from an accident involving a motor vehicle covered by a motor vehicle insurance policy.
- The bill changes the statute of limitations for initiating a civil action seeking damages for an injury to real or personal property to three years.

The bill specifies that its provisions initially apply to actions or special proceedings that are commenced on the bill's effective date.

SENATE AMENDMENT 1

Senate amendment 1 makes the following changes to Senate Bill 149:

- The amendment provides that a cause of action involving underinsured or uninsured motorist coverage accrues on the date there is final resolution of the underlying cause of action by the injured party against the tortfeasor.
- The amendment provides that the two-year statute of limitations the bill establishes for a wrongful death action arising from an accident involving a motor vehicle applies regardless of whether the vehicle was covered by a motor vehicle insurance policy.
- The amendment changes the provision in the bill relating to the statute of limitations for injury to real or personal property to provide that the three-year statute of limitations only applies to actions involving a motor vehicle.
- The amendment changes the initial applicability of the bill to provide that the bill first applies to accidents that occur on bill's effective date.

BILL HISTORY

Senate Amendment 1 to Senate Bill 149 was offered by Senator Lasse on September 15, 2015. On October 7, 2015, the Senate Committee on Insurance, Housing and Trade unanimously voted to recommend adoption of Senate Amendment 1 and passage of Senate Bill 149, as amended.

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