

**CHAPTER 78 , Laws of 1981**

AN ACT to create 943.065 of the statutes, relating to allowing treble damages for damage caused by arson.

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

SECTION 1. 943.065 of the statutes is created to read:

**943.065 Injury caused by arson: treble damages.** (1) Any person who incurs injury to his or her person or his, her or its business or property by reason of a violation of s. 943.02, 943.03, 943.04, 943.05 or 943.06, including the state or any municipality which incurs costs in extinguishing or investigating the cause of a fire under those circumstances, may sue the person convicted of the violation for damages. A court shall award treble damages, plus costs and attorney fees, to a person, including the state or a municipality, proving injury under this section. The damages, costs and fees are payable only by the person convicted of the violation. This section does not impose any duty upon a company providing insurance coverage to defend its insured in any action brought under this section.

(2) The treble damages requirement under sub. (1) applies in any wrongful death action under s. 895.03 based on a violation specified in sub. (1).

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