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## ASSEMBLY AMENDMENT 3, TO 1995 SENATE BILL 437

May 1, 1996 - Offered by Representative GOETSCH.

At the locations indicated, amend the bill, as shown by senate substitute amendment 1, as follows:

- **1.** Page 1, line 3: after "title," insert "civil slander of title,".
- **2.** Page 1, line 14: delete the material beginning with that line and ending with on page 2, line 6, and substitute:
  - "Section 2g. 706.13 (1) of the statutes, as affected by 1995 Wisconsin Act 224, is amended to read:

706.13 (1) In addition to any criminal penalty or civil remedy provided by law, any person who submits for filing, entering in the judgment and lien docket or recording, any lien, claim of lien, lis pendens, writ of attachment, financing statement or any other instrument relating to a security interest in or the title in to real or personal property, knowing and who knows or should have known that the contents or any part of the contents to be of the instrument are false, a sham or frivolous, is liable in tort to any person interested in the property whose title is thereby impaired, for punitive damages of \$1,000 plus any actual damages caused by the filing, entering or recording.

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**Section 2r.**  $943.60\ (1)$  of the statutes, as affected by 1995 Wisconsin Act 224, is amended to read:

943.60 (1) Any person who submits for filing, entering or recording any lien, claim of lien, lis pendens, writ of attachment, financing statement or any other instrument relating to a security interest in or title in to real or personal property, knowing and who knows or should have known that the contents or any part of the contents to be of the instrument are false, a sham or frivolous, is guilty of a Class E D felony.".

**3.** Page 3, line 1: delete lines 1 and 2 and substitute:

"(1g) CRIMINAL STATUTES. The treatment of sections 943.60 (1), 946.68 (1) and (2) and 946.69 (2) (intro.) of the statutes and the creation of section 946.68 (1) (c) of the statutes first apply to offenses occurring on the effective date of this subsection.

(1r) Civil statutes. The treatment of sections 409.404 (1) (d) and 706.13 (1) of the statutes first applies to acts or omissions occurring on the effective date of this subsection.".

16 (END)