



**SENATE SUBSTITUTE AMENDMENT 1,
TO 1995 SENATE BILL 50**

May 10, 1995 – Offered by COMMITTEE ON EDUCATION AND FINANCIAL INSTITUTIONS.

1 **AN ACT to create** 895.515 of the statutes; **relating to:** civil immunity for persons
2 who give commercial equipment or technology to elementary or secondary
3 schools or institutions of higher education.

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

4 **SECTION 1.** 895.515 of the statutes is created to read:

5 **895.515 Liability exemption; equipment or technology donation. (1)**

6 In this section:

7 (a) “Commercial equipment or technology” means goods or related procedures
8 used or bought for use primarily in a business, including farming and a profession.

9 (b) “Institution of higher education” means a center or institution within the
10 University of Wisconsin System, a technical college or a private, nonprofit institution
11 of higher education located in this state.

12 (2) Any person engaged in the sale or use of commercial equipment or
13 technology, for profit or not for profit, who donates any commercial equipment or
14 technology to a public or private elementary or secondary school or an institution of

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1 higher education or who accepts reimbursement in an amount not to exceed
2 overhead and transportation costs for any commercial equipment or technology
3 provided to a public or private elementary or secondary school or to an institution of
4 higher education is immune from civil liability for the death of or injury to an
5 individual caused by the commercial equipment or technology.

6 (3) This section does not apply if the death or injury was caused by a wilful or
7 wanton act or omission of the person who donated or accepted reimbursement for the
8 commercial equipment or technology.

9 **SECTION 2. Initial applicability.**

10 (1) This act first applies to commercial equipment or technology donated or for
11 which reimbursement was accepted on the effective date of this subsection.

12 (END)