



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBs0179/1
MJL:kjf:jf

**SENATE SUBSTITUTE AMENDMENT 1,
TO 2005 SENATE BILL 132**

August 12, 2005 – Offered by Senator KANAVAS.

1 **AN ACT** *to renumber* 895.35; and *to create* 895.35 (2) of the statutes; **relating**
2 **to:** payment of attorney fees of emergency medical services personnel, fire
3 fighters, first responders, and law enforcement or correctional officers.

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

4 **SECTION 1.** 895.35 of the statutes is renumbered 895.35 (1).

5 **SECTION 2.** 895.35 (2) of the statutes is created to read:

6 895.35 (2) (a) In this subsection, “protective services officer” means an
7 emergency medical technician or first responder under s. 146.50 (1) (e) to (hm), a fire
8 fighter, or a law enforcement or correctional officer.

9 (b) Notwithstanding sub. (1), the city, town, village, school district, technical
10 college district, or county shall reimburse a protective services officer for reasonable
11 attorney fees incurred by the officer in connection with a criminal proceeding arising

1 from the officer's conduct in the line of duty unless, in relation to that conduct, any
2 of the following applies:

- 3 1. The officer is convicted of a crime.
- 4 2. The officer's employment is terminated for cause.
- 5 3. The officer resigns for reasons other than retirement before the attorney fees
6 are incurred.
- 7 4. The officer is demoted or reduced in rank.
- 8 5. The officer is suspended without pay for 10 or more working days.

9 **SECTION 3. Initial applicability.**

10 (1) This act first applies to attorney fees incurred on the effective date of this
11 subsection.

12 (END)