



2005 ASSEMBLY BILL 1132

March 21, 2006 - Introduced by Representatives DAVIS, WARD, J. FITZGERALD, ALBERS, BOYLE, GRONEMUS, GUNDERSON, JESKEWITZ, KRAWCZYK, LEHMAN, MUSSEY, OWENS, PETROWSKI, WASSERMAN, KERKMAN and LOEFFELHOLZ, cosponsored by Senators KEDZIE, ROESSLER, DARLING and HANSEN. Referred to Committee on Education.

1 **AN ACT** *to renumber* 118.291 (1); *to renumber and amend* 118.291 (2); and *to*
2 *create* 118.291 (1g) and 118.291 (2) (b) of the statutes; **relating to:** the
3 possession and use of inhalers in private schools.

Analysis by the Legislative Reference Bureau

Under current law, an asthmatic pupil enrolled in a public school may possess and use an inhaler in school, at a school-sponsored activity, or under the supervision of a school authority if: 1) the pupil uses the inhaler before exercise or to alleviate asthmatic symptoms; 2) the pupil has the written approval of the pupil's physician and his or her parents; and 3) the pupil has provided the school principal with a copy of the approval or approvals.

Current law also exempts a school district, school board, and school employee from civil liability for injury to a pupil caused by an employee who prohibits a pupil from using an inhaler because of the employee's good faith belief that the above requirements were not satisfied or who allows a pupil to use an inhaler because of the employee's good faith belief that the above requirements had been satisfied.

This bill extends all of the above provisions to private schools, pupils enrolled in private schools, and private school employees.

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

