



2005 ASSEMBLY BILL 263

March 28, 2005 - Introduced by Representatives DAVIS, FRISKE, VOS, JENSEN, RHOADES, MONTGOMERY, GRONEMUS, HINES, VAN ROY, JESKEWITZ, HAHN, AINSWORTH, BIES, GUNDERSON, GUNDRUM, TOWNSEND, OTT and MUSSER, cosponsored by Senators KANAVAS, KEDZIE, STEPP, ROESSLER, BROWN and COGGS. Referred to Committee on Urban and Local Affairs.

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

Analysis by the Legislative Reference Bureau

Current law requires a municipality (a city, town, village, school district, technical college district, or county) to pay the judgment and costs of a municipal officer or employee who is sued in his or her official capacity or for actions taken in the scope of his or her employment. Current law also permits a municipality to pay the reasonable litigation expenses of a municipal officer against whom criminal charges or a civil lawsuit not involving the recovery of damages is brought.

This bill requires the municipality to pay these litigation expenses for an emergency medical services technician, first responder, fire fighter, or law enforcement or correctional officer unless, in relation to the lawsuit, the person for whom the litigation expenses are incurred is convicted of a crime; the person's employment is terminated for cause; the person resigns before the expenses are incurred; the person is demoted; or the person is suspended without pay for at least ten working days.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

