

State of Wisconsin



1995 Senate Bill 50

Date of enactment: **December 6, 1995**
Date of publication*: **December 20, 1995**

1995 WISCONSIN ACT 112

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

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

SECTION 1. 895.515 of the statutes is created to read:
895.515 Liability exemption; equipment or technology donation. (1) In this section:

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

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

(2) Any person engaged in the sale or use of commercial equipment or technology, for profit or not for profit, who donates any commercial equipment or technology to a public or private elementary or secondary school or an institution of higher education or who accepts reimburse-

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

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

(4m) This section does not apply to the manufacturer of the donated commercial equipment or technology.

SECTION 2. Initial applicability.

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

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].