



1995 ASSEMBLY BILL 973

February 29, 1996 - Introduced by Representatives GREEN, KLUSMAN, KELSO, UNDERHEIM, SERATTI, ALBERS, HASENOHRL and GROTHMAN, cosponsored by Senators HUELSMAN, COWLES, DRZEWIECKI and PETAK. Referred to Committee on Judiciary.

1 **AN ACT to amend** 904.07 of the statutes; **relating to:** inadmissibility of
2 subsequent remedial measures as evidence of violation of an employer's duty
3 to furnish safe employment and place.

Analysis by the Legislative Reference Bureau

Under current law, if measures are taken after an event that, had they been taken previously, would have made the event less likely to occur, evidence of the subsequent remedial measures is not admissible to prove negligence or culpable conduct in connection with the event. Current law permits evidence of remedial measures to be used to prove a violation of an employer's duty to furnish a safe place and safe employment. This bill prohibits the use of evidence of remedial measures to prove a violation of the employer's duty to furnish a safe place and safe employment.

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

4 **SECTION 1.** 904.07 of the statutes is amended to read:
5 **904.07 Subsequent remedial measures.** When, after an event, measures
6 are taken which, if taken previously, would have made the event less likely to occur,
7 evidence of the subsequent measures is not admissible to prove negligence or
8 culpable conduct in connection with the event or to prove a violation of s. 101.11. This
9 section does not require the exclusion of evidence of subsequent measures when

1 offered for another purpose, such as proving ownership, control, or feasibility of
2 precautionary measures, if controverted, or impeachment ~~or proving a violation of~~
3 ~~s. 101.11.~~

4 (END)