



1997 ASSEMBLY BILL 323

April 28, 1997 - Introduced by Representatives OTTE, GRONEMUS, GOETSCH, RYBA, GROTHMAN, POWERS, PORTER, MUSSER, AINSWORTH, OLSEN, SYKORA, OTT, KELSO and SERATTI, cosponsored by Senators C. POTTER, DRZEWIECKI, BUETTNER, A. LASEE and FARROW. Referred to Committee on Tourism and Recreation.

1 **AN ACT to create** 895.525 (3m) of the statutes; **relating to:** immunity of
2 providers and supervisors of, and participants in, recreational activities.

Analysis by the Legislative Reference Bureau

This bill grants immunity from civil liability to a person for acts or omissions related to the person's participation in, or supervision or provision of, a recreational activity if another person is injured or killed as a result of the participation, supervision or provision. The immunity does not apply to acts or omissions related to the transportation of people to or from a recreational activity or if the person: 1) receives compensation for participating in, supervising or providing the activity; 2) uses or provides equipment that the person knows is faulty and that equipment causes the injury or death; 3) acts in a wanton or wilful disregard for the safety of the person injured or killed or; 4) intentionally causes the injury or death.

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:

3 **SECTION 1.** 895.525 (3m) of the statutes is created to read:
4 895.525 (**3m**) IMMUNITY FROM LIABILITY. (a) Except as provided in par. (b), a
5 person participating in, supervising or providing a recreational activity is immune

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1 from civil liability for acts or omissions related to his or her participation in, or
2 supervision or provision of, a recreational activity if a person is injured or killed as
3 a result of the participation, supervision or provision. This subsection does not apply
4 to participants in contact sports under sub. (4m).

5 (b) The immunity under this subsection does not apply to acts or omissions
6 related to the transportation of people to or from a recreational activity or if the
7 person seeking immunity does any of the following:

8 1. Receives compensation for participating in, supervising or providing the
9 recreational activity.

10 2. Uses or provides participants with equipment that the person knows is
11 faulty and that equipment causes the person's injury or death.

12 3. Acts in a wilful or wanton disregard for the safety of the person injured or
13 killed.

14 4. Intentionally causes the person's injury or death.

15 (END)