State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0087/1
MLJ:klm

2019 ASSEMBLY BILL 402

September 5, 2019 – Introduced by Representatives HEBL, ANDERSON, EMERSON, KOLSTE, OHNSTAD, POPE, SINICKI, SPREITZER, SUBECK, C. TAYLOR, VRUWINK and BROSTOFF, cosponsored by Senator RINGHAND. Referred to Committee on Judiciary.

AUTHORS SUBJECT TO CHANGE

AN ACT ***to create*** 757.19 (2) (h) of the statutes; **relating to:** an objective standard for the disqualification of a judge or justice.

Analysis by the Legislative Reference Bureau

This bill requires a judge or justice to disqualify himself or herself from presiding over or deciding a legal proceeding or action if a reasonable person would question whether the judge or justice could act in an impartial manner.

Under current law, a judge or justice must disqualify himself or herself if certain circumstances exist that would affect the judge's or justice's impartiality in the action, if the judge or justice determines that he or she is incapable of acting in an impartial manner, or if he or she determines that it appears that he or she cannot act in an impartial manner.

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

SECTION 1. 757.19 (2) (h) of the statutes is created to read:

757.19 **(2)** (h) When a reasonable person would question whether the judge can act in an impartial manner.

(END)