



2017 ASSEMBLY BILL 581

October 24, 2017 - Introduced by Representatives TUSLER, CROWLEY, ANDERSON, BERCEAU, BILLINGS, HORLACHER, JACQUE, KITCHENS, KLEEFISCH, KOLSTE, KREMER, QUINN, SARGENT, C. TAYLOR, VRUWINK, SUBECK and SPREITZER, cosponsored by Senators HARSDORF, JOHNSON, COWLES, DARLING, MARKLEIN, RINGHAND, VINEHOUT, WIRCH and OLSEN. Referred to Committee on Family Law.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to amend** 801.50 (5r) and 801.50 (5s) of the statutes; **relating to:** venue
2 requirements for domestic abuse, child abuse, and harassment cases.

Analysis by the Legislative Reference Bureau

This bill changes the venue requirements for actions growing out of domestic abuse, child abuse, and harassment. Under the bill, if a petitioner is a victim advocate, an employee of the county court system, a legal professional practicing law, or a current or former law enforcement officer, or is the spouse or dating partner of one of those persons, an action for a restraining order or injunction in a case of domestic abuse, child abuse, or harassment may be brought in any county within a 100-mile radius of the county seat of the county in which the petitioner resides or is temporarily living.

Under current law, action for a restraining order or injunction in a case of domestic abuse must be brought in the county in which the cause of action arose, where the petitioner or the respondent resides, or where the petitioner is temporarily living, and an action for a restraining order or injunction in a case of child abuse or harassment must be brought in the county in which the cause of action arose or where the petitioner or the respondent resides.

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

3 **SECTION 1.** 801.50 (5r) of the statutes is amended to read:

ASSEMBLY BILL 581**SECTION 1**

1 801.50 **(5r)** Venue of an action under s. 813.12 growing out of domestic abuse
2 shall be in the county in which the cause of action arose, where the petitioner or the
3 respondent resides or where the petitioner is temporarily living, except that venue
4 may be in any county within a 100-mile radius of the county seat of the county in
5 which the petitioner resides or in any county in which the petitioner is temporarily
6 living if the petitioner is a victim advocate, as defined in s. 905.045 (1) (e), an
7 employee of the county court system, a legal professional practicing law, as defined
8 in SCR 23.01, or a current or former law enforcement officer, as defined in s. 102.475
9 (8) (c), or is the spouse of or is in a dating relationship, as defined in s. 813.12 (1) (ag),
10 with a victim advocate, an employee of the county court system, a legal professional
11 practicing law, as defined in SCR 23.01, or a current or former law enforcement
12 officer, as defined in s. 102.475 (8) (c).

13 **SECTION 2.** 801.50 (5s) of the statutes is amended to read:

14 801.50 **(5s)** Venue of an action under s. 813.122 or 813.125 shall be in the county
15 in which the cause of action arose or where the petitioner or the respondent resides,
16 except that venue may be in any county within a 100-mile radius of the county seat
17 of the county in which the petitioner resides or in any county in which the petitioner
18 is temporarily living if the petitioner is a victim advocate, as defined in s. 905.045 (1)
19 (e), an employee of the county court system, a legal professional practicing law, as
20 defined in SCR 23.01, or a current or former law enforcement officer, as defined in
21 s. 102.475 (8) (c), or is the spouse of or is in a dating relationship, as defined in s.
22 813.12 (1) (ag), with a victim advocate, an employee of the county court system, a
23 legal professional practicing law, as defined in SCR 23.01, or a current or former law
24 enforcement officer, as defined in s. 102.475 (8) (c).

25 (END)