



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1911/1
SWB:amn

2017 SENATE BILL 93

March 2, 2017 - Introduced by Senator CARPENTER, cosponsored by Representatives ZEPNICK, C. TAYLOR, BERCEAU, SARGENT, ANDERSON, SPREITZER and SINICKI. Referred to Committee on Government Operations, Technology and Consumer Protection.

1 **AN ACT** *to renumber* 893.83; *to amend* 893.83 (title); and *to create* 893.83 (2m)
2 of the statutes; **relating to:** state liability for damages caused by an
3 insufficiency or want of repair of a state highway.

Analysis by the Legislative Reference Bureau

This bill creates a specific immunity exception under which the state may be held liable for damages occurring as a result of an insufficiency or want of repairs of a state highway. Under current law, the state is responsible for maintaining the state's highways. This bill provides that the state is liable for damages of up to \$50,000 to a person or property resulting from an insufficiency or want of repair of a highway, which includes shoulders, sidewalks, and bridges.

Current law also provides that cities, villages, towns, and counties are liable for damages resulting from the accumulation of snow or ice that has existed on a highway for at least three weeks. This bill does not affect that immunity exception.

For further information see the *state* 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:

4 **SECTION 1.** 893.83 (title) of the statutes is amended to read:

