

State of Wisconsin



2015 Assembly Bill 223

Date of enactment: February 4, 2016

Date of publication*: February 5, 2016

2015 WISCONSIN ACT 133

AN ACT *to renumber and amend* 893.43, 893.52, 893.54 (intro.) and 893.54 (1) and (2); and *to create* 893.43 (2), 893.52 (2) and 893.54 (2m) of the statutes; **relating to:** statutes of limitation on claims involving property damage and on claims arising from a motor vehicle accident and covered by a motor vehicle insurance policy.

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

SECTION 1. 893.43 of the statutes is renumbered 893.43 (1) and amended to read:

893.43 (1) ~~An~~ Except as provided in sub. (2), an action upon any contract, obligation, or liability, express or implied, including an action to recover fees for professional services, except those mentioned in s. 893.40, shall be commenced within 6 years after the cause of action accrues or be barred.

SECTION 2. 893.43 (2) of the statutes is created to read:

893.43 (2) An action upon a motor vehicle insurance policy described in s. 632.32 (1) shall be commenced within 3 years after the cause of action accrues or be barred. A cause of action involving underinsured motorist coverage, as defined in s. 632.32 (2) (d), or uninsured motorist coverage, as defined in s. 632.32 (2) (f), accrues on the date there is final resolution of the underlying cause of action by the injured party against the tortfeasor.

SECTION 3m. 893.52 of the statutes is renumbered 893.52 (1) and amended to read:

893.52 (1) ~~An~~ Except as provided in sub. (2) and in any other case where a different period is expressly prescribed, an action, not arising on contract, to recover damages for an injury to real or personal property shall

be commenced within 6 years after the cause of action accrues or be barred, ~~except in the case where a different period is expressly prescribed.~~

SECTION 3r. 893.52 (2) of the statutes is created to read:

893.52 (2) An action, not arising on contract, to recover damages for an injury to real or personal property that are caused or sustained by, or that arise from, an accident involving a motor vehicle shall be commenced within 3 years after the cause of action accrues or be barred.

SECTION 4. 893.54 (intro.) of the statutes is renumbered 893.54 (1m) (intro.) and amended to read:

893.54 (1m) (intro.) ~~The~~ Except as provided in sub. (2m), the following actions shall be commenced within 3 years or be barred:

SECTION 5. 893.54 (1) and (2) of the statutes are renumbered 893.54 (1m) (a) and (b), and 893.54 (1m) (a), as renumbered, is amended to read:

893.54 (1m) (a) An action to recover damages for injuries to the person, including an action to recover damages for injuries to the person caused or sustained by or arising from an accident involving a motor vehicle.

SECTION 6. 893.54 (2m) of the statutes is created to read:

893.54 (2m) An action brought to recover damages for death caused by the wrongful act, neglect, or default

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

of another and arising from an accident involving a motor vehicle shall be commenced within 2 years after the cause of action accrues or be barred.

SECTION 7. Initial applicability.

(1) This act first applies to accidents that occur on the effective date of this subsection.
