

**WLC: 0053/1**

**ALTERNATIVE LANGUAGE REGARDING LIABILITY INSURANCE**

1           Replace the material from page 3, line 12 to page 4, line 2 with the following:

2           165.92 (3) (c) 1. As an alternative to a resolution under par. (b), the tribe may maintain  
3           liability insurance that does all of the following:

4           a. Covers the tribe and tribal law enforcement officers for acts or omissions under par.

5           (a).

6           b. Has a limit of coverage not less than [\$2,000,000] [\$\_\_\_\_\_] for any [claim]  
7           [occurrence] [and \$\_\_\_\_\_ for any individual] .

8           c. Provides that the insurer, in defending a claim against the policy, may not raise the  
9           defense of sovereign immunity of the insured up to the limits of the policy.

10          2. This paragraph applies only if the tribe has presented evidence to the department of  
11          justice of the insurance under subd. 1. and states in its submission to the department of justice  
12          under this subdivision that, in defending a claim against the policy, the tribe will not raise the  
13          defense of sovereign immunity up to the limits of the policy. Upon receipt of evidence of the  
14          insurance under subd. 1. and receipt of the statement described in this subdivision, the  
15          department of justice shall notify the sheriff of each county and the chief of police of each  
16          municipality in which the tribe has a reservation or trust land that the tribe has met this criterion  
17          for performing the powers and duties described under sub. (2) (a).