

State of Wisconsin



2015 Senate Bill 314

Date of enactment: **March 1, 2016**
Date of publication*: **March 2, 2016**

2015 WISCONSIN ACT 219

AN ACT *to repeal and recreate* 893.29 of the statutes; **relating to:** adverse possession against the state or a political subdivision.

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

SECTION 1. 893.29 of the statutes is repealed and recreated to read:

893.29 No adverse possession by or against the state or political subdivisions. (1) Except as provided in sub. (2) (b), no title to or interest in real property belonging to the state or a city, village, town, county, school district, sewerage commission, sewerage district or any other unit of government within this state may be obtained by adverse possession under s. 893.25, 893.26, or 893.27 or by continuous adverse use under s. 893.28.

(1m) Except as provided in sub. (2) (d), no city, village, town, county, school district, sewerage commission, sewerage district, or any other unit of government within this state may obtain title to private property, as defined in s. 943.13 (1e) (e), by adverse possession under s. 893.25, 893.26, or 893.27.

(2) (a) Subsection (1) applies to a claim of title to or interest in real property based on adverse possession or continuous adverse use that began on or after the date that

is 20 years before the effective date of this paragraph [LRB inserts date].

(b) Subsection (1) does not affect title to or interest in real property obtained on or before the effective date of this paragraph [LRB inserts date], by adverse possession under s. 893.25, 893.26, or 893.27 or by continuous adverse use under s. 893.28.

(c) 1. Subsection (1m) applies to a claim of title to real property based on adverse possession under s. 893.25 that began after the date that is 20 years before the effective date of this subdivision [LRB inserts date].

2. Subsection (1m) applies to a claim of title to real property based on adverse possession under s. 893.26 that began after the date that is 10 years before the effective date of this subdivision [LRB inserts date].

3. Subsection (1m) applies to a claim of title to real property based on adverse possession under s. 893.27 that began after the date that is 7 years before the effective date of this subdivision [LRB inserts date].

(d) Subsection (1m) does not affect title to real property obtained on or before the effective date of this paragraph [LRB inserts date], by adverse possession under s. 893.25, 893.26, or 893.27.

* 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."