

State of Wisconsin



2021 Senate Bill 51

Date of enactment: **May 21, 2021**
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2021 WISCONSIN ACT 32

AN ACT to repeal 985.01 (1b) (a); to consolidate, renumber and amend 985.01 (1b) (intro.) and (b); and to amend 985.01 (3r), 985.02 (3), 985.03 (1) (a) 1m., 985.03 (1) (am) 1. and 985.08 (8) of the statutes; relating to: qualification of newspapers to receive compensation for publication of legal notices and requirements relating to publication.

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

SECTION 1. 985.01 (1b) (intro.) and (b) of the statutes are consolidated, renumbered 985.01 (1b) and amended to read:

985.01 (1b) "Bona fide paid circulation" means the paid circulation of a newspaper that satisfies all of the following: (b) ~~The for which the~~ publisher of the newspaper has actual print, digital, or electronic subscribers at for each publication of not less than 1,000 copies in for 1st and 2nd class cities or 300 copies in for 3rd and 4th class cities, villages, or towns.

SECTION 2. 985.01 (1b) (a) of the statutes is repealed.

SECTION 3. 985.01 (3r) of the statutes is amended to read:

985.01 (3r) "Newspaper" Except as otherwise provided in this subsection or in s. 985.03 (1) (am). "newspaper" means a publication that is published at regular intervals and, ~~except as otherwise provided in this subsection,~~ at least once a week, with a minimum of 50 issues each year containing, on average, at least 25 percent news content per issue, including reports of happenings of recent occurrence of a varied character, such as political, social, moral and religious subjects, designed to inform the general reader. "Newspaper" includes a daily newspaper published in a county having a population of

750,000 or more, devoted principally to business news and publishing of records, which has been designated by the courts of record of the county for publication of legal notices for a period of 6 months or more. "Newspaper" also includes a newspaper published in the town of Washington, Door County, at least 2 times a month.

SECTION 4. 985.02 (3) of the statutes is amended to read:

985.02 (3) The newspaper that publishes a legal notice shall, in addition to newspaper publication, place an electronic copy of the legal notice at no additional charge on the publishing newspaper's Internet site and on the Wisconsin newspapers legal notices Internet site. Every newspaper that publishes legal notices shall have an Internet site and include on its home page a prominent link to the newspaper's legal notices section, the contents of which shall be available for viewing at no cost to the public. The newspaper's Internet legal notice section shall include a link to the Wisconsin newspapers legal notices Internet site, as defined in s. 985.01 (7).

SECTION 5. 985.03 (1) (a) 1m. of the statutes is amended to read:

985.03 (1) (a) 1m. ~~For at least 2 of the 5 years immediately before the date of the publication of the notice, the~~ The newspaper has been published regularly and continuously at least once each week for at least 50 consecutive issues prior to the first publication of the notice in the city,

* 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."

village, or town where published, or the newspaper can verify to the department of administration using postal records that the newspaper has been circulated to the minimum number of print, digital, or electronic subscribers required under s. 985.01 (1b) prior to the issuance of its mailing permit from its place of publication, as set forth in s. 985.01 (5).

SECTION 6. 985.03 (1) (am) 1. of the statutes is amended to read:

985.03 (1) (am) 1. The newspaper ~~is published regularly and continuously~~ has been circulated at least once

each week for at least 50 issues each year for one year prior to the first publication of the notice in the city, village, or town and publishing in the newspaper is likely to give notice in the area or to the affected person.

SECTION 7. 985.08 (8) of the statutes is amended to read:

985.08 (8) Upon request, a tear sheet proof of a multiple insertion notice shall be mailed or sent in electronic format to the advertiser or the advertiser's attorney within 72 hours after the first insertion, and an additional charge of \$1 for such tear sheet proof may be made.
