

State of Wisconsin



2023 Senate Bill 85

Date of enactment: **December 6, 2023**

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2023 WISCONSIN ACT 62

AN ACT *to amend* 33.26 (2), 33.30 (2) (a), 33.32 (1) (c), 33.32 (1) (e) and 33.32 (1) (f); and *to create* 33.32 (1m) of the statutes; **relating to:** authorizing email for notice of public inland lake protection and rehabilitation district board business.

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

SECTION 1. 33.26 (2) of the statutes is amended to read:

33.26 (2) Notice announcing the hearing and stating the boundaries of the proposed district shall be published in a paper of general circulation in the county in which the proposed district is located as a class 1 notice, under ch. 985, and shall be mailed or emailed by the county board to the last-known address or email address of each landowner within the proposed district. The notice required under this subsection may be provided by email only to landowners who have agreed to receive notice via email.

SECTION 2. 33.30 (2) (a) of the statutes is amended to read:

33.30 (2) (a) The annual meeting shall be preceded by written notice mailed or emailed at least 14 days in advance of the meeting to all electors within the district whose address or email address is known or can be ascertained with reasonable diligence, to all owners of property within the district at the owner's email address or address as listed in the tax roll, and to the department. The district board of commissioners may substitute a class 2 notice, under ch. 985, in lieu of sending written

notice to electors residing within the district. The notice required under this paragraph may be provided by email only to electors and owners of property who have agreed to receive notice via email.

SECTION 3. 33.32 (1) (c) of the statutes is amended to read:

33.32 (1) (c) The commissioners shall file in the office of the county clerk a report of the assessments made. Notice shall be given to each owner, mortgagee, lessee or other person having an interest in an affected parcel that the report is open for review at a specified place within the district for 30 days after the date of the notice and that on a day named therein, which shall not be more than 3 days after the expiration of the 30 days, the commissioners will hear objections that may be made to the report. Notice shall be by mail or email to each person whose post-office address or email address is known or can be ascertained with reasonable diligence, accompanied by a statement of the assessment, and shall also be published as a class 2 notice, under ch. 985, in a newspaper having general circulation within the district.

SECTION 4. 33.32 (1) (e) of the statutes is amended to read:

33.32 (1) (e) When a final determination of assessments has been made, the secretary shall publish a class

* 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."

1 notice, under ch. 985, within the district that a final determination has been made, and shall notify by mail or email each person entitled to notice under par. (c) of the amount assessed against the affected parcel.

SECTION 5. 33.32 (1) (f) of the statutes is amended to read:

33.32 (1) (f) An owner, mortgagee, lessee or other person having an interest in any parcel affected by the determination who feels aggrieved thereby may, within 40 days after the date of mailing or emailing of notice, appeal therefrom to the circuit court of the county in which the district is located by causing a written notice

of appeal to be served upon the secretary of the district. The secretary in case such appeal is taken shall make a brief statement of the proceedings had in the matter and shall transmit the same with all papers in the matter to the clerk of the circuit court. Such appeal shall be tried and determined in the same manner as cases originally commenced in said court.

SECTION 6m. 33.32 (1m) of the statutes is created to read:

33.32 (1m) The notices required under sub. (1) (c), (e), and (f) may be provided by email only to persons who have agreed to receive notices via email.
