

State of Wisconsin



2017 Assembly Bill 120

Date of enactment: April 16, 2018
Date of publication*: April 17, 2018

2017 WISCONSIN ACT 353

AN ACT to create 985.075 of the statutes; relating to: information required to be included in class 2 and class 3 legal notices.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Publication of Government Documents and Legal Notices.

BACKGROUND. Under current law, publication of a legal notice may be prescribed as a Class 1, 2, or 3 notice, where the class of notice corresponds to the frequency of required insertions. For example, a Class 2 notice must be published once a week for two consecutive weeks and a Class 3 notice must be published once a week for three consecutive weeks. Generally, when multiple insertions are prescribed, the last insertion must occur at least one week before the act or event to which the notice relates.

THE BILL. The bill allows a municipality the option to publish a summary, instead of publishing any full-text content that may be required under current law, for the second and third insertions that are required for publication of Class 2 and 3 notices, if the summarized notice also indicates that the full-text content may be viewed at the following sources:

1. The newspaper in which the initial insertion of the Class 2 or 3 notice was published.
2. The municipal website.
3. The Wisconsin Newspapers Association legal notices website.
4. A physical location maintained by the municipality.

The authority to summarize the content of a notice under the bill does not apply to a legal notice required to be published by a municipality by order of a court or to a legal notice

related to court proceedings required to be published by a municipality.

SECTION 1. 985.075 of the statutes is created to read:
985.075 Substance of 2nd and 3rd insertions. (1)

In this section, "summary" means a brief, precise, and plain-language description that can be easily understood.

(2) Except as provided in sub. (3), when a governing body of a municipality is required by law to publish a legal notice as a class 2 notice or a class 3 notice, the governing body may, for the 2nd and 3rd insertions and in lieu of publishing the full text of the material required to be included in the first insertion of the legal notice, publish a summary of the material included in the first insertion in the same manner in which the first insertion was published. The governing body shall ensure that the summary is accompanied by a notice that the full text of the material included in the first insertion is available for viewing at all of the following locations:

- (a) As an electronic document on the governing body's Internet site.
- (b) In the newspaper in which the initial insertion was published.
- (c) As an electronic document on the Wisconsin newspapers legal notices Internet site.
- (d) In a readily accessible physical location within the municipality.

* 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."

(3) This section does not apply to a legal notice required to be published by a municipality by order of a court or to a legal notice related to court proceedings required to be published by a municipality.
