

State of Wisconsin



2011 Senate Bill 117

Date of enactment: **November 9, 2011**
Date of publication*: **November 23, 2011**

2011 WISCONSIN ACT 61

AN ACT *to renumber and amend* 752.21 and 801.50 (3); and *to create* 752.21 (2) and 801.50 (3) (c) of the statutes; **relating to:** venue for actions and appeals in which the sole defendant is the state, a state board or commission, or certain state officers, employees, or agents.

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

SECTION 1. 752.21 of the statutes is renumbered 752.21 (1) and amended to read:

752.21 (1) ~~A~~ Except as provided in sub. (2), a judgment or order appealed to the court of appeals shall be heard in the court of appeals district which contains the court from which the judgment or order is appealed.

SECTION 2. 752.21 (2) of the statutes is created to read:

752.21 (2) A judgment or order appealed from an action venued in a county designated by the plaintiff to the action as provided under s. 801.50 (3) (a) shall be heard in a court of appeals district selected by the appellant but the court of appeals district may not be the court of appeals district that contains the court from which the judgment or order is appealed.

SECTION 3g. 801.50 (3) of the statutes, as affected by [2011 Wisconsin Act 21](#), is renumbered 801.50 (3) (a) and amended to read:

801.50 (3) (a) ~~All~~ Except as provided in ~~this subsection~~ pars. (b) and (c), all actions in which the sole defendant is the state, any state board or commission, or any state officer, employee, or agent in an official capacity shall be venued in ~~Dane County~~ the county designated by the plaintiff unless another venue is specifically authorized by law.

(b) All actions relating to the validity or invalidity of a rule shall be venued as provided in s. 227.40 (1).

SECTION 3r. 801.50 (3) (c) of the statutes is created to read:

801.50 (3) (c) An action commenced by a prisoner, as defined under s. 801.02 (7) (a) 2., in which the sole defendant is the state, any state board or commission, or any state officer, employee, or agent in an official capacity shall be venued in Dane County unless another venue is specifically authorized by law.

SECTION 4. Initial applicability.

(1) This act first applies to actions commenced on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 2009-10 : 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 as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].