



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2015 Assembly Bill 465	Assembly Substitute Amendment 1
<i>Memo published:</i> February 15, 2016	
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2015 ASSEMBLY BILL 465

Under this bill, a person may only obtain title to real property by adverse possession if either a court is unable to identify or locate the record title owner or the record title owner's successor in interest or a principal building has been located on the real property for at least the required number of years of uninterrupted adverse possession. Under the latter exception, a person is required to pay to the previous title holder the fair market value of the real estate adversely possessed, the fair market value of any diminution in value to the title holder's remaining real estate, and reimbursement for real estate taxes paid by the previous title holder during the required period of adverse possession.

ASSEMBLY SUBSTITUTE AMENDMENT 1

Assembly Substitute Amendment 1 creates a legal "affidavit of interruption" that can be recorded with the county register of deeds and has the effect of interrupting a period of adverse possession or use of a person's property. A survey must be filed with the affidavit, notice must be provided to the alleged adverse possessor as prescribed under the substitute amendment, and notice must also be filed with the county register of deeds with the records pertaining to the abutting parcel owned by the alleged adverse possessor, if any.

BILL HISTORY

On February 4, 2016, Assembly Substitute Amendment 1 was offered by Representative Craig. On February 10, 2016, the Assembly Committee on Housing and Real Estate voted to recommend adoption of the substitute amendment and to recommend passage of the bill, as amended, on votes of Ayes, 8; Noes, 0.

(Assembly Bill 465, as amended by Assembly Substitute Amendment 1, is identical to Senate Bill 344, as amended by Senate Substitute Amendment 1.)

LAK:jal