



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 104
[2017 Assembly Bill 253]

**Procedures for Foreclosure by
Sheriff Sale**

2017 Wisconsin Act 104 (“the Act”) extends, with slight modification, the process for confirming a foreclosure by sheriff sale and recording of the sheriff’s deed that previously applied only to property located in Milwaukee County to apply statewide.

Under prior law, applicable only to Milwaukee County, following confirmation of sale and compliance with the terms of the sale, the Clerk of Courts was required to deliver the sheriff’s deed, along with other items, to the Register of Deeds for recording. In all other counties, the Clerk of Courts was required to deliver the sheriff’s deed to the purchaser, who could then choose to register the deed at any time.

The Act creates one process that applies to all counties. Following confirmation of sale and compliance with the terms of sale, the Clerk of Courts must either provide the Register of Deeds with notice that a sheriff’s deed is available, or transmit the deed to the Register of Deeds for recording. If the second option is chosen, the Register of Deeds must retrieve the documents and fees from the Clerk of Courts within a reasonable period of time.

The Act also revises the notice of a foreclosure sale to require the inclusion of the street address of the property and the sum of the judgment.

Effective date: December 2, 2017

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.