
Wisconsin Legislative Council

ACT MEMO



Prepared by: Peggy Hurley, Staff Attorney

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2019 Wisconsin Act 29
[2019 Assembly Bill 58]

**Notice of Claim Against State
Officer, Employee, or Agent**

BACKGROUND

Under prior law, a notice of a claim against a state officer, employee, or agent generally had to be served upon the attorney general at his or her office in the State Capitol by certified mail. Prior law required strict compliance with the statutory service provisions and, in *Sorenson v. Batchelder*, 2016 WI 34, the Wisconsin Supreme Court held that personal service of a notice of claim did not comply with the statute.

2019 WISCONSIN ACT 29

2019 Wisconsin Act 29 allows a claimant to serve a notice of claim against a state officer, employee, or agent upon the attorney general at his or her office or at the department of justice, by personal service or by certified mail. Under the act, if service is made by certified mail, notice is considered given upon mailing.

Effective date: November 22, 2019

PJH:mcm;jal