



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2019 Assembly Bill 112**

**Assembly Amendment 1**

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### **BACKGROUND**

Generally, a legal notice must be published: (1) in a newspaper likely to give notice in the area or to the person affected; and (2) a minimum number of times in a newspaper, depending on the type of notice. A class 1 notice requires one insertion; a class 2 notice requires two insertions; and a class 3 notice requires three insertions. Current law defines “newspaper” and “insertion” as:

- **Newspaper.** A publication that is published at regular intervals and at least once a week, containing, on average, 25 percent news content per issue.
- **Insertion.** When used to indicate the publication of a legal notice more than one time, once each week for consecutive weeks, the last of which must be at least one week before the act or event.

In addition, under current law, the affidavit of the editor, publisher, printer, or proprietor of any newspaper of the publication of a legal notice is presumptive evidence that the legal notice was published if the affidavit contains a copy of the notice clipped from the newspaper.

### **2019 ASSEMBLY BILL 112**

The bill makes the following changes to current law:

- Defines “newspaper” to also include a newspaper published in the Town of Washington, Door County, at least two times a month (i.e., the *Washington Island Observer*).
- Provides that the newspaper clipping may be in either hard copy or electronic format.

## **ASSEMBLY AMENDMENT 1**

The amendment changes the definition of “insertion” to accommodate the publication frequency of the *Washington Island Observer*. Specifically, the amendment provides that, with respect to the *Washington Island Observer*, “insertion” means **once in each issue of consecutive issues published at intervals of at least one week**, the last issue of which must be published at least one week before the act or event.

## **BILL HISTORY**

Assembly Amendment 1 was offered by Representative Kitchens. On July 18, 2019, the Assembly Committee on Judiciary recommended adoption of the amendment and passage of the bill, as amended, on votes of Ayes, 8; Noes, 0.

JKR:ksm