



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2019 Senate Bill 147

Senate Amendment 1

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2019 SENATE BILL 147

Current law generally requires state and local governing bodies to publish legal notices in a newspaper that is likely to give notice in the area or to the person affected. The definition of a “newspaper” for purposes of publishing legal notices, includes a requirement that the publication be published at regular intervals and at least once a week. Whenever the law requires publication in a newspaper published in a designated municipality or area and no newspaper satisfies the requirements to be considered a “newspaper,” then publication must be made in a newspaper that is likely to give notice. Alternatively, if a municipality is not required to have an official newspaper, the governing body may post in three places likely to give notice for some, but not all, types of proceedings.

There are also three classes of notices, Class 1, Class 2, and Class 3, to indicate the number of times a legal notice must be inserted into a newspaper. All legal notices requiring a Class 1 notice must be inserted (or published) once, one week before the act or event, unless otherwise specified by law. Legal notices requiring a Class 2 or Class 3 notice must be inserted twice or three times, respectively, once each week for consecutive weeks, the last of which must be one week before the act or event, unless otherwise specified by law.

Current law also provides that a copy of the notice clipped from the newspaper, along with an affidavit from specific persons representing the newspaper specifying the date or each insertion and the paper in which it was published, is presumptive evidence that a legal notice was published in a newspaper.

2019 Senate Bill 147 makes the following changes to current law:

- Provides that a “newspaper,” for purposes of publishing legal notices described above, includes a newspaper published in the Town of Washington, Door County, at least two times a month (currently only the Washington Island Observer).
- Provides that a copy of the notice clipped from the newspaper either in hard copy or electronic format, when attached with the affidavit from the newspaper, is presumptive evidence that a legal notice was published in a newspaper.

SENATE AMENDMENT 1

Senate Amendment 1 clarifies that if a Class 2 or Class 3 notice is published in the Washington Island Observer, the notices must be inserted once in each issue of **consecutive issues** published at intervals of at least one week, the last issue of which shall be published at least one week before the act or event, unless otherwise specified by law.

BILL HISTORY

Senate Amendment 1 was introduced on May 7, 2019, by Senator Jacque. On May 8, 2019, the Senate Committee on Government Operations, Technology, and Consumer Protection voted to recommend adoption and passage of the bill, as amended, by votes of Ayes, 5; Noes, 0.

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