

# State of Wisconsin



2009 Assembly Bill 638

Date of enactment: **May 18, 2010**  
Date of publication\*: **June 1, 2010**

## 2009 WISCONSIN ACT 370

AN ACT to *renumber and amend* 66.1102 (1); to *amend* 19.35 (1) (b), 19.35 (1) (f) and 66.1102 (title); and to *create* 19.35 (3) (g), 66.1102 (1) (a) and 66.1102 (4) of the statutes; **relating to**: the format and fees for obtaining copies of public records.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 19.35 (1) (b) of the statutes is amended to read:

19.35 (1) (b) Except as otherwise provided by law, any requester has a right to inspect a record and to make or receive a copy of a record ~~which appears in written form~~. If a requester appears personally to request a copy of a record that permits photocopying, the authority having custody of the record may, at its option, permit the requester to photocopy the record or provide the requester with a copy substantially as readable as the original.

**SECTION 2.** 19.35 (1) (f) of the statutes is amended to read:

19.35 (1) (f) ~~Except Notwithstanding par. (b) and~~ except as otherwise provided by law, any requester has a right to inspect any record not specified in pars. ~~(b) (c)~~ (e) the form of which does not permit copying. If a requester requests permission to photograph the record, the authority having custody of the record may permit the requester to photograph the record. If a requester requests that a photograph of the record be provided, the authority shall provide a good quality photograph of the record.

**SECTION 3.** 19.35 (3) (g) of the statutes is created to read:

19.35 (3) (g) Notwithstanding par. (a), if a record is produced or collected by a person who is not an authority pursuant to a contract entered into by that person with an authority, the authorized fees for obtaining a copy of the record may not exceed the actual, necessary, and direct cost of reproduction or transcription of the record incurred by the person who makes the reproduction or transcription, unless a fee is otherwise established or authorized to be established by law.

**SECTION 4e.** 66.1102 (title) of the statutes is amended to read:

**66.1102** (title) ~~Development of land, Land development; notification; records requests.~~

**SECTION 4j.** 66.1102 (1) of the statutes is renumbered 66.1102 (1) (intro.) and amended to read:

66.1102 (1) ~~DEFINITION DEFINITIONS.~~ (intro.) In this section ~~“political;~~

(b) ~~“Political~~ subdivision” means any city, village, town, or county.

**SECTION 4m.** 66.1102 (1) (a) of the statutes is created to read:

66.1102 (1) (a) “Land information” has the meaning given in s. 59.72 (1) (a).

\* Section 991.11, WISCONSIN STATUTES 2007–08 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

**SECTION 4s.** 66.1102 (4) of the statutes is created to read:

66.1102 (4) LAND INFORMATION RECORD REQUESTS. Whenever any office or officer of a political subdivision receives a request to copy a record containing land infor-

mation, the requester has a right to receive a copy of the record in the same format in which the record is maintained by the custodian, unless the requester requests that a copy be provided in a different format that is authorized by law.

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