

4

5

6

7

8

9

10

11

12

## ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 1995 ASSEMBLY BILL 401

March 5, 1996 - Offered by Committee on Judiciary.

| 1 | $AN\ ACT$ to renumber and amend 893.29 (2); to amend 893.29 (1); and to create            |
|---|---|
| 2 | 893.29 (2m) and 893.29 (4) of the statutes; <b>relating to:</b> obtaining title to public |
| 3 | real property by adverse possession, prescription or user.                                |

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

**Section 1.** 893.29 (1) of the statutes is amended to read:

893.29 (1) Title Except as provided in subs. (2m) and (3), title to or interest in real property belonging to the state or a city, village, town, county, school district, sewerage commission, sewerage district or any other unit of government within this state may be obtained by adverse possession, prescription or user under s. 893.25, 893.26, 893.27 or 893.28 only if the adverse possession, prescription or user continues uninterruptedly for more than 20 years.

**SECTION 2.** 893.29 (2) of the statutes is renumbered 893.29 (3), and 893.29 (3) (intro.), as renumbered, is amended to read:

| 1  | 893.29 (3) (intro.) Notwithstanding sub. (1), no No title to or interest in any of    |
|----|---|
| 2  | the following property shall may be obtained by adverse possession, prescription or   |
| 3  | user:   |
| 4  | <b>Section 3.</b> 893.29 (2m) of the statutes is created to read:                     |
| 5  | 893.29 (2m) No title to or interest in county forest land, as defined in s. 28.11     |
| 6  | (2), may be obtained by adverse possession, prescription or user under s. 893.25 or   |
| 7  | 893.28.   |
| 8  | <b>Section 4.</b> 893.29 (4) of the statutes is created to read:                      |
| 9  | 893.29 (4) Subsection (2m) does not affect title to or interest in real property      |
| 10 | obtained by adverse possession, prescription or user under s. 893.25 or 893.28 before |
| 11 | the effective date of this subsection [revisor inserts date].                         |
| 12 | Section 5. Initial applicability.   |
| 13 | (1) This act first applies to real property belonging to the county on the effective  |
| 14 | date of this subsection.  |
| 15 | (END)   |