



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-0462/1
TKK:amn&kjf

2017 BILL

1 **AN ACT** *to renumber and amend* 985.02 (2) (a); *to amend* 985.02 (2) (b), 985.02
2 (2) (c) and 985.02 (2) (d); and *to create* 985.02 (2) (a) (intro.) of the statutes;
3 **relating to:** method of notification when a legal notice is provided
4 electronically.

Analysis by the Legislative Reference Bureau

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Publication of Government Documents and Legal Notices.

BACKGROUND. Under current law, certain municipalities may, in lieu of newspaper publication, provide certain legal notice by posting a notice in three public places or, as authorized by 2015 Wisconsin Act 79, by posting a notice in one public place and placing the notice electronically on an internet site maintained by the municipality.

THE BILL. For qualifying municipalities that elect to provide legal notice by posting a notice in one public place and placing the notice on the municipality's internet site, the bill requires the municipality to include an easily identifiable link to its notices on the municipality's website homepage.

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1 **SECTION 1.** 985.02 (2) (a) (intro.) of the statutes is created to read:

2 985.02 (2) (a) (intro.) Do one of the following:

3 **SECTION 2.** 985.02 (2) (a) of the statutes is renumbered 985.02 (2) (a) 1. and
4 amended to read:

5 985.02 (2) (a) 1. ~~The Post the notice must be posted in at least 3 public places~~
6 likely to give notice to persons affected ~~or must be posted.~~

7 2. Post the notice in at least one public place likely to give notice to persons
8 affected and ~~placed~~ place the notice electronically on an Internet site maintained by
9 the municipality. The governing body of the municipality shall include on the home
10 page of the municipality's Internet site an easily identifiable link to all notices placed
11 electronically.

12 **SECTION 3.** 985.02 (2) (b) of the statutes is amended to read:

13 985.02 (2) (b) ~~The Post and, if applicable, place electronically a notice required~~
14 ~~to be posted before the act or event requiring notice shall be posted and, if applicable,~~
15 ~~placed electronically,~~ no later than the time specified for the first newspaper
16 publication.

17 **SECTION 4.** 985.02 (2) (c) of the statutes is amended to read:

18 985.02 (2) (c) ~~The Post and, if applicable, place electronically a notice required~~
19 ~~to be posted after the act or event requiring notice shall be posted and, if applicable,~~
20 ~~placed electronically,~~ within one week after the act or event. Actions of governing
21 bodies posted after the act or event shall be effective upon posting.

22 **SECTION 5.** 985.02 (2) (d) of the statutes is amended to read:

23 985.02 (2) (d) ~~The affidavit of~~ Ensure that the officer or person posting the legal
24 notice under this subsection files an affidavit with the municipal clerk containing the

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1 time, place, and manner of the posting. An affidavit filed under this paragraph is
2 presumptive evidence of the facts stated therein.

3 (END)