



2011 ASSEMBLY BILL 394

November 23, 2011 - Introduced by Representative A. OTT, cosponsored by Senator LASEE. Referred to Committee on Rural Economic Development and Rural Affairs.

1 **AN ACT relating to:** voiding the annexation of territory in the town of Harrison
2 in Calumet County by the city of Kaukauna.

Analysis by the Legislative Reference Bureau

This bill voids an annexation of territory in the town of Harrison in Calumet County by the city of Kaukauna, which the city commenced on or about October 19, 2010. Under current law, the town is prohibited from contesting the annexation in court.

Under the bill, the legislature finds that the annexation did not comply with the current statutory requirements for a city that is located in one county to annex territory in another county, in which no part of the city is located. Current law states that, before such an annexation may occur, the town from which the territory is to be annexed must adopt a resolution approving the proposed annexation. In this case, the town of Harrison did not adopt such a resolution.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1. Nonstatutory provisions.**

4 (1) The annexation by the city of Kaukauna, in Outagamie County, of territory
5 in the town of Harrison, in Calumet County, which was commenced by the city on or

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1 about October 19, 2010, is void and has no legal effect. With regard to this
2 annexation, the legislature finds all of the following:

3 (a) The annexation by the city of Kaukauna did not comply with the
4 requirements of section 66.0217 (14) (b) of the statutes. Under that statute, a city
5 located in one county may not annex territory in another county, in which no part of
6 the city is located, unless the town from which the territory is to be annexed adopts
7 a resolution approving the proposed annexation.

8 (b) Although the city of Kaukauna annexed territory from the town of Harrison
9 in Calumet County, under section 66.0217 of the statutes, the town did not adopt a
10 resolution approving the proposed annexation as required by section 66.0217 (14) (b)
11 of the statutes.

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(END)