

1973 Assembly Bill 511

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CHAPTER 211, Laws of 1973

AN ACT to amend 270.79 (1) and 270.91 (2) of the statutes, relating to discharge of judgments in bankruptcy.

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

SECTION 1. 270.79 (1) of the statutes is amended to read:

270.79 (1) Every judgment, when properly docketed, and the docket gives the judgment debtor's place of abode and his occupation, trade or profession shall, for 10 years from the date of the entry thereof, be a lien on the real property (except the homestead mentioned in s. 272.20) in the county where docketed, of every person against whom it is rendered and docketed, which he has at the time of docketing or which he acquires thereafter within said 10 years. A judgment based upon a claim discharged in bankruptcy shall upon entry of the order of ~~discharge~~ satisfaction cease to be and shall not thereafter become a lien on any real property of the discharged person then owned or thereafter acquired.

SECTION 2. 270.91 (2) of the statutes is amended to read:

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270.91 (2) Upon proper notice, any person who has secured a discharge in bankruptcy may apply to the court where ~~such~~ any judgment rendered void by such order of discharge was entered, for an order to satisfy such judgment ~~as may have been duly discharged in such order of discharge in bankruptcy and which judgment was duly set forth and included in such schedules of bankruptcy as to the name and address of such judgment holder.~~ If the court ~~is so satisfied~~ finds that such order of discharge in bankruptcy was duly obtained and that ~~the name and address of such judgment creditor was included in such schedules of bankruptcy,~~ then the court its effect is to render void the judgment sought to be satisfied, it shall declare such judgment to be satisfied and direct satisfaction thereof to be entered on the docket. The ~~order of the court shall fully release the real property of any such bankrupt person from the lien of such judgment.~~ Thereafter the entry of such order of satisfaction of judgment shall be a bar to any other action in the courts of this state against the person securing a discharge in bankruptcy by such judgment creditor such bankrupt person based upon the judgment so satisfied.
