

1969 Assembly Bill 672

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**CHAPTER 348, LAWS OF 1969**

AN ACT to repeal and recreate 247.03 (2) of the statutes, relating to the statute of limitations in actions affecting marriage.

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

247.03 (2) of the statutes is repealed and recreated to read:

247.03 (2) Except as otherwise provided in this subsection, such actions specified in sub. (1) (a) to (d) shall be commenced within a period of 10 years after the cause of action arose. The provisions of ss. 893.33, 893.37 and 893.38 relating to limitations of commencement of actions by persons under disability shall apply to actions affecting marriage under this chapter. An action for annulment under s. 247.02 (3) may be commenced at any time while either of the parties has a husband or wife living. In an action for divorce the court, in determining whether the action can be maintained after said 10-year period, may make such order excluding any time, during which either party has been committed as a patient in a mental institution, from the computation of said period as in its discretion shall be found just and reasonable after considering the respective equities of the parties and the liability under s. 46.10 for future maintenance of the patient who has been so committed.

Approved January 5, 1970.

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