

1993 Senate Bill 118

Date of enactment: **April 6, 1994**
Date of publication*: **April 20, 1994**

1993 WISCONSIN ACT 208

AN ACT *to repeal* 59.07 (103), (104), (106), (108) and (110); *to amend* 125.10 (2) and 167.10 (5) (a) (intro.); and *to create* 59.07 (64e) of the statutes, **relating to:** granting to counties the right to regulate or prohibit by ordinance and impose forfeitures for certain conduct that is regulated or prohibited by state statute.

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

SECTION 1. 59.07 (64e) of the statutes is created to read:

59.07 (64e) POWER TO PROHIBIT CERTAIN CONDUCT. Enact and enforce ordinances, and provide forfeitures for violations of those ordinances, that prohibit conduct which is the same as or similar to that prohibited by chs. 941 to 948, except as provided in sub. (64m), and by s. 167.31 (2) and (3), subject to rules promulgated under s. 167.31 (4m).

SECTION 2. 59.07 (103), (104), (106), (108) and (110) of the statutes are repealed.

SECTION 2m. 125.10 (2) of the statutes is amended to read:

125.10 (2) REGULATION OF UNDERAGE PERSONS. A municipality or a county may ~~adopt~~ enact an ordinance regulating conduct regulated by s. 125.07 (1) ~~or~~ (4) (a), (b) or (bm), 125.085 (3) (b) or 125.09 (2) only if it strictly

conforms to the statutory subsection. A county ordinance ~~adopted~~ enacted under this subsection does not apply within any municipality that has ~~adopted~~ enacted or ~~adopts~~ enacts an ordinance under this subsection.

SECTION 2s. 167.10 (5) (a) (intro.) of the statutes is amended to read:

167.10 (5) (a) (intro.) A city, village ~~or~~, town ~~or~~ county may ~~adopt~~ enact an ordinance for any of the following, except that a county ordinance enacted under this paragraph does not apply and may not be enforced within any city, village or town that has enacted or enacts an ordinance under this paragraph:

SECTION 3. Nonstatutory provisions; other. (1) COUNTIES MAY PROHIBIT CERTAIN ACTS. Any county ordinance enacted under section 59.07 (103), (104), (106), (108) or (110) of the statutes, that is in effect on the day before the effective date of this subsection, shall remain in force unless the ordinance is repealed by the county that enacted it.