

State of Wisconsin



1995 Assembly Bill 256

Date of enactment: April 22, 1996

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1995 WISCONSIN ACT 263

AN ACT to amend 170.07, 170.08, 170.09 and 170.10; and to create 170.105 of the statutes; relating to: the return of lost money or goods.

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

SECTION 1. 170.07 of the statutes is amended to read:

170.07 Lost chattels, notice. Except as provided in s. ss. 170.105 and 170.12, if a person finds \$3 \$25 or more or any goods having a value of at least \$3 \$25 but less than \$25 \$100, and if the owner of the money or goods is unknown, the finder shall, within 5 days after finding the money or goods, give a written notice of the found money or goods to the law enforcement agency of the city, village or town clerk of the town in which the money or goods are found ~~and cause. That law enforcement agency shall post~~ a notice of the found money or goods ~~to be posted~~ in 2 public places in the city, village or town.

SECTION 2. 170.08 of the statutes is amended to read:

170.08 Notice and appraisal. Except as provided in s. ss. 170.105 and 170.12, the finder of lost goods having a value of \$25 \$100 or more shall give a written notice of the found goods to the law enforcement agency of the city, village or town in which the goods are found within 15 days after finding the goods and cause a class 2 notice under ch. 985 of the found goods to be published in the county. If no person who is entitled to the goods appears to claim the goods, the finder shall, within 2 months after finding the goods and before using the goods to their injury, procure an appraisal of the goods by the ~~town chairperson~~ law enforcement agency of the

finder's city, village or town. The appraisal shall be certified by the ~~chairperson~~ head of the law enforcement agency and filed in the office of the law enforcement agency of the city, village or town clerk's office.

SECTION 3. 170.09 of the statutes is amended to read:

170.09 Restitution. If the owner of lost money or goods appears within ~~one year~~ 90 days after notice is given to the law enforcement agency of the city, village or town clerk under s. 170.07 or 170.08 and makes out his or her right to the money or goods, he or she shall have restitution of the money or goods or the value of the money or goods upon his or her paying all the costs and charges on the money or goods, including a reasonable compensation to the finder for the finder's trouble.

SECTION 4. 170.10 of the statutes is amended to read:

170.10 Payment to town. If no owner of lost money or goods appears within ~~one year~~ 90 days after notice is given to the law enforcement agency of the city, village or town clerk under s. 170.07 or 170.08, the finder of the money or goods shall ~~pay one-half of the value of the money or goods, after deducting all legal charges, to the treasurer of the town. If the finder fails to pay the amount required under this section, the amount may be sued for and recovered by the town be the owner of the lost money or goods.~~

SECTION 5. 170.105 of the statutes is created to read:

170.105 Chattels found by public officials, employes or agents. (1) Notwithstanding ss. 170.07 and

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

170.08, if an official, employe or agent of the state or of a county, city, village or town finds \$25 or more or any goods having a value of at least \$25 while acting within the scope of his or her official duties, employment or agency, he or she shall transfer custody of the found money or goods to the agency in the city, village or town where the money or goods were found that is designated by the city, village or town governing body to receive found money or goods. That agency shall post a notice of the found money or goods in 2 public places in the city, village or town.

(2) If the owner of lost money or goods appears within 90 days after the notice is posted under sub. (1) and

makes out his or her right to the found money or goods, he or she shall have restitution of the money or goods or the value of the money or goods upon paying all of the costs and charges on the money or goods. If no owner of lost money or goods appears within 90 days after the notice is posted under sub. (1), the found money or goods become the property of the state or county, city, village or town whose official, employe or agent found the lost money or goods.

SECTION 6. Initial applicability.

(1) This act first applies to money or goods found on the effective date of this subsection.
