

1999 Assembly Bill 189

Date of enactment:
Date of publication*:

1999 WISCONSIN ACT

AN ACT to create 187.19 (12) of the statutes; relating to: consolidation or merger of incorporated Roman Catholic congregations.

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

SECTION 1. 187.19 (12) of the statutes is created to read:

187.19 (12) MERGER OR CONSOLIDATION OF CORPORATIONS. (a) Any 2 or more corporations organized under this section may merge with another corporation organized under this section or may consolidate into a new corporation governed by this section if the bishop of the diocese in which the corporations are located approves the merger or consolidation.

(b) If the bishop of the diocese in which the corporations are located approves the merger or consolidation, the directors of each corporation that is a party to the merger or consolidation, by a two-thirds vote of the directors of each corporation, shall adopt a plan of merger or consolidation that includes all of the following:

1. The names of the corporations proposing to merge or consolidate and the name of the surviving corporation, if the corporations are merged, or the name of the new corporation, if the corporations are consolidated.

2. The terms and conditions of the proposed merger or consolidation.

3. With respect to the surviving or new corporation, all statements required to be included in the articles of incorporation of a corporation organized under this section.

4. Any other provision concerning the proposed merger or consolidation that is deemed necessary or desirable.

(bm) The surviving corporation, if the corporations are merged, or the new corporation, if the corporations are consolidated, shall file a copy of the plan of merger or consolidation with the department of financial institutions and shall record the plan of merger or consolidation with the register of deeds in the county or counties in which the parties are located and in which real property owned by the parties is located.

(c) All real property owned by the corporations that are a party to the merger or consolidation, upon the recording of the plan of merger or consolidation with the register of deeds in the county or counties in which the property is located, shall become the property of the surviving corporation, if the corporations are merged, or the property of the new corporation, if the corporations are consolidated.

* Section 991.11, WISCONSIN STATUTES 1997-98: 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].