

1999 DRAFTING REQUEST

Bill

Received: 11/24/98

Received By: nelsorp1

Wanted: As time permits

Identical to LRB:

For: Gwendolynne Moore (608)266-5810

By/Representing:

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Alt. Drafters:

Subject: Courts - miscellaneous

Extra Copies:

Topic:

Drug nuisance notice to landlord by law enforcement agency

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	nelsorp1 12/17/98	ptellez 12/18/98	jfrantze 12/18/98	_____	lrb_docadmin 12/18/98		
/1	nelsorp1 12/21/98	ptellez 12/21/98	jfrantze 12/23/98	_____	lrb_docadmin 12/23/98	lrb_docadmin 12/30/98	
/2	nelsorp1 01/26/99	ptellez 01/26/99	martykr 01/27/99	_____	lrb_docadmin 01/27/99	lrb_docadmin 01/27/99	

FE Sent For:

<END>

Not Needed

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*1/25 Wants to exclude Miller Co. from
this notice provision*

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/P1	nelsorp1 12/17/98	ptellez 12/18/98	jfrantze 12/18/98	_____	lrh_docadmin 12/18/98		
/1	nelsorp1 12/21/98	ptellez 12/21/98	jfrantze 12/23/98	_____	lrh_docadmin 12/23/98	lrh_docadmin 12/30/98	

FE Sent For:

*12 pt 1/26/99
12 jlg 1/26
km 1/27
km 1/27
<END>*

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/1	nelsorp1 12/21/98	ptellez 12/21/98	jfrantze 12/23/98	_____	lrb_docadmin 12/23/98		

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/P1	nelsorp1 12/17/98	ptellez 12/18/98	jfrantze 12/18/98	_____	lrb_docadmin 12/18/98		
FE Sent For:	1 jlg	11 est 12/21/98 12/21 jlg	12/23	12/23			<END>

1999 DRAFTING REQUEST

Bill

Received: 11/24/98

Received By: nelsorp1

Wanted: As time permits

Identical to LRB:

For: Gwendolynne Moore (608)266-5810

By/Representing:

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Alt. Drafters:

Subject: Courts - miscellaneous

Extra Copies: PJK

Topic:

Drug nuisance notice to landlord by law enforcement agency

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	nelsorp1	1/21 pat 12/17/98 1/21 jlg 12/18	12/18	12/18	<u>Yes</u>		

FE Sent For:

<END>

LEGISLATIVE REFERENCE BUREAU**BILL REQUEST FORM**

Legal Section, 5th Floor, 100 N. Hamilton St.
(608) 266-3561

Use of this form is optional. It is often helpful to talk directly with the LRB attorney who will draft the bill.
Use this form only for **BILL** drafts. Attach more pages if necessary.

Date of request: <i>November 20, 1998</i>	Legislator or agency requesting this draft: <i>Senator Gayndolynne Moore</i>
Name/phone number of person submitting request: <i>Leanne Bergstrom 266-5810</i>	<i>FAX-7-2353</i>
Persons to contact for questions about this draft (names and phone numbers please): <i>Leanne Bergstrom 266-5810</i>	<i>Shirley Ellis 266-5810</i>
Describe the problem, including any helpful examples. How do you want to solve the problem? <i>Please see attached letters.</i>	
<i>APW - Perhaps use "law enforcement agency" in 165.77 & what about tribal agencies, N. 165.83 (1)(b)</i>	
If you know of any statute sections that might be affected, please list them or provide a marked (not re-typed) copy. <i>704.17(1)(c)</i>	

Please attach a copy of any correspondence or material that may help us. You may also attach a marked (not re-typed) copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67):

Requests are confidential unless stated otherwise.

May we tell others that we are working on this for you? YES NO

If yes, anyone who asks? YES NO

Any legislator? YES NO ONLY the following persons:

Do you consider this urgent? YES NO If yes, please indicate why:

Is this request of higher priority than other pending request(s) you have made?

YES NO If yes, please sign your name here:



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
P. O. BOX 2037
MADISON, WI 53701-2037

TELEPHONE AREA 608
REFERENCE 266-0342
LEGAL 266-3561
FAX 266-5648

FAX TRANSMITTAL COVER SHEET

Total pages transmitted, including this page: 3

Please deliver to:

Name: Leanne B. Agency/Firm: Sen. Moore

Address: _____

Phone Number: 6-5810

FAX Number: 7-2353

MESSAGE:

SENT BY:

NAME: Bob Nelson DATE: 12/21 TIME: 12:10

If there are any problems with this facsimile transmittal, call (608) 266-0342.

Dane County Narcotics & Gang Task Force

211 South Carroll Street, Room GR-66
Madison, WI 53703-3303
(608) 266-4524 FAX (608) 267-1179



April 9, 1998

Mr. Jim Campbell
WAA Legislative Co-Chair
7 N. Pickney Street
Suite 120
Madison, WI 53703

RE: Revision to Current Drug Abatement Law, Wisconsin Statute 704.17 (1)(c)

Dear Mr. Campbell:

As we have discussed, it has come to my attention that there appears to be a problem in the language of the drug abatement statute relating to County Sheriff Departments.

Currently, Statute 704.17(1)(c) reads:

“(c) A property owner may terminate the tenancy of a week-to-week or month-to-month tenant if the property owner receives written notice from a law enforcement agency of a city, town or village that a nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental unit or was caused by that tenant on the property owner's property and if the property owner gives the tenant written notice requiring the tenant to vacate on or before a date at least 5 days after the giving of the notice. The notice shall state the basis for its issuance and the right of the tenant to contest the termination of tenancy in an eviction action under ch. 799. If the tenant contests the termination of tenancy, the tenancy may not be terminated without proof by the property owner by the greater preponderance of the credible evidence of the allegation in the notice from the law enforcement agency of a city, town or village that a nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental unit or was caused by that tenant.”

In Dane County, there are numerous areas where the Sheriff's Office provides exclusive law enforcement protection. The language of the current statute does not provide for a Sheriff's Department to issue a nuisance letter to a property owner. In the past year, I am aware of two occasions in which our Task Force has conducted drug investigations at rental properties in unincorporated areas of our County. The most recent case occurred this past March in which we executed two search warrants on a rental property. The property owner asked for an abatement letter to be sent to his (the property owner's) attorney, so as to commence eviction proceedings. As the location of the rental property was in a rural setting, and only served by the Sheriff's Office, I completed a notification letter to the property owner's attorney. I was later informed by the attorney that he could not proceed with the eviction process on the basis of the letter because the statute specifically states only law enforcement agencies of "a city, town or village" are able to issue these notifications.

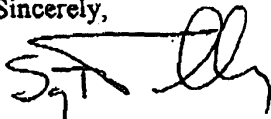
If possible, I believe the wording for this statute should be amended to:

"...A property owner may terminate the tenancy of a week-to-week or month-to-month tenant if the property owner receives written notice from any law enforcement agency in the State of Wisconsin that a nuisance..."

Changing the language to the above, would eliminate a Sheriff's Office problem with issuing abatement letters. Additionally, this language would include other agencies (Division of Narcotics Enforcement - DNE, and the Drug Enforcement Agency - DEA) who also can conduct drug investigations in this state.

If you have any questions, please feel free to contact me at the phone number listed below. Thank you for looking into having this statute changed to benefit the MAAA and Law Enforcement Agencies throughout Wisconsin.

Sincerely,



Sgt. Mark S. Twombly
Dane County Narcotics and Gang Task Force
(608) 267-1163

Cc: File



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1031/P1

RPN pgt...

4
Jig

D-Note

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 AN ACT ^{gen. cat.} relating to: termination of a tenancy if notice given regarding drug
2 or criminal gang activity.

Analysis by the Legislative Reference Bureau

Under current law, if a property owner receives notice from a law enforcement agency of a city, town or village that a rental unit is a nuisance because the unit is being used to facilitate the delivery, distribution or manufacture of a controlled substance or is being used to facilitate the activities of a criminal gang, the property owner may terminate the tenancy ~~of the rental unit~~ by giving the tenant written notice requiring the tenant to vacate on or before a date at least ~~7~~ ^{five} days after the giving of the notice. This bill expands the law enforcement agencies that may give notice to a property owner that a rental unit is a nuisance to include any law enforcement agency of the state or of a political subdivision of the state.

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

3 SECTION 1. 704.17 [✓](1) (c) of the statutes is amended to read:
4 704.17 (1) (c) A property owner may terminate the tenancy of a week-to-week
5 or month-to-month tenant if the property owner receives written notice from a law
6 enforcement agency of a city, town or village, as defined in s. [✓]165.83 (1) [✓](b), that a

1 nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental unit or was
2 caused by that tenant on the property owner's property and if the property owner
3 gives the tenant written notice requiring the tenant to vacate on or before a date at
4 least 5 days after the giving of the notice. The notice shall state the basis for its
5 issuance and the right of the tenant to contest the termination of tenancy in an
6 eviction action under ch. 799. If the tenant contests the termination of tenancy, the
7 tenancy may not be terminated without proof by the property owner by the greater
8 preponderance of the credible evidence of the allegation in the notice from the law
9 enforcement agency of a city, town or village that a nuisance under s. 823.113 (1) or
10 (1m) (b) exists in that tenant's rental unit or was caused by that tenant.

History: 1981 c. 286; 1993 a. 139, 486; 1995 a. 267.

11 **SECTION 2.** 704.17 (2) (c) of the statutes is amended to read:

12 704.17 (2) (c) A property owner may terminate the tenancy of a tenant who is
13 under a lease for a term of one year or less or who is a year-to-year tenant if the
14 property owner receives written notice from a law enforcement agency of a city, town
15 or village, as defined in s. 165.83 (1) (b), that a nuisance under s. 823.113 (1) or (1m)
16 (b) exists in that tenant's rental unit or was caused by that tenant on the property
17 owner's property and if the property owner gives the tenant written notice requiring
18 the tenant to vacate on or before a date at least 5 days after the giving of the notice.
19 The notice shall state the basis for its issuance and the right of the tenant to contest
20 the termination of tenancy in an eviction action under ch. 799. If the tenant contests
21 the termination of tenancy, the tenancy may not be terminated without proof by the
22 property owner by the greater preponderance of the credible evidence of the
23 allegation in the notice from the law enforcement agency of a city, town or village that

1 a nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental unit or was
2 caused by that tenant.

3 History: 1981 c. 286; 1993 a. 139, 486; 1995 a. 267.

3 **SECTION 3.** 704.17 (3) (b) of the statutes is amended to read:

4 704.17 (3) (b) A property owner may terminate the tenancy of a tenant who is
5 under a lease for a term of more than one year if the property owner receives written
6 notice from a law enforcement agency of a city, town or village, as defined in s. 165.83
7 (1) (b), that a nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental
8 unit or was caused by that tenant on the property owner's property and if the
9 property owner gives the tenant written notice to vacate on or before a date at least
10 5 days after the giving of the notice. The notice shall state the basis for its issuance
11 and the right of the tenant to contest the termination of tenancy in an eviction action
12 under ch. 799. If the tenant contests the termination of tenancy, the tenancy may
13 not be terminated without proof by the property owner by the greater preponderance
14 of the credible evidence of the allegation in the notice from the law enforcement
15 agency of a city, town or village that a nuisance under s. 823.113 (1) or (1m) (b) exists
16 in that tenant's rental unit or was caused by that tenant.

17 History: 1981 c. 286; 1993 a. 139, 486; 1995 a. 267.

(END) ✓

D-Note

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1031/P1dn

RPN. pgt...

+

JLg

I did this draft as a preliminary draft because the request only discussed s. 704.17 (1) (c), but I also amended ss. 704.17 (2) (c) and (3) (b), which had identical language. This draft adds law enforcement agencies of the state and of political subdivisions of the state. It does not include federal or tribal law enforcement agencies. OK?

Robert P. Nelson
Senior Legislative Attorney
267-7511

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1031/P1dn
RPN:pgt&jlg:jf

December 18, 1998

I did this draft as a preliminary draft because the request only discussed s. 704.17 (1) (c), but I also amended ss. 704.17 (2) (c) and (3) (b), which had identical language. This draft adds law enforcement agencies of the state and of political subdivisions of the state. It does not include federal or tribal law enforcement agencies. OK?

Robert P. Nelson
Senior Legislative Attorney
267-7511



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1031/1
RPN:pgt&jlg:jf

stays

1999 BILL

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

gen cat.

1 AN ACT to amend 704.17 (1) (c), 704.17 (2) (c) and 704.17 (3) (b) of the statutes;

2 relating to: termination of a tenancy if notice given regarding drug or criminal

3 gang activity.

Analysis by the Legislative Reference Bureau

Under current law, if a property owner receives notice from a law enforcement agency of a city, town or village that a rental unit is a nuisance because the unit is being used to facilitate the delivery, distribution or manufacture of a controlled substance or is being used to facilitate the activities of a criminal gang, the property owner may terminate the tenancy by giving the tenant written notice requiring the tenant to vacate on or before a date at least five days after the giving of the notice.

This bill expands the law enforcement agencies that may give notice to a property owner that a rental unit is a nuisance to include any law enforcement agency of the state or of a political subdivision of the state, and provides immunity to

those additional entities and their officers and employees

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

4 SECTION 1. 704.17 (1) (c) of the statutes is amended to read:

5 704.17 (1) (c) A property owner may terminate the tenancy of a week-to-week

6 or month-to-month tenant if the property owner receives written notice from a law

9 insert and

1 enforcement agency of a city, town or village, as defined in s. 165.83 (1) (b), that a
2 nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental unit or was
3 caused by that tenant on the property owner's property and if the property owner
4 gives the tenant written notice requiring the tenant to vacate on or before a date at
5 least 5 days after the giving of the notice. The notice shall state the basis for its
6 issuance and the right of the tenant to contest the termination of tenancy in an
7 eviction action under ch. 799. If the tenant contests the termination of tenancy, the
8 tenancy may not be terminated without proof by the property owner by the greater
9 preponderance of the credible evidence of the allegation in the notice from the law
10 enforcement agency of a city, town or village that a nuisance under s. 823.113 (1) or
11 (1m) (b) exists in that tenant's rental unit or was caused by that tenant.

12 **SECTION 2.** 704.17 (2) (c) of the statutes is amended to read:

13 704.17 (2) (c) A property owner may terminate the tenancy of a tenant who is
14 under a lease for a term of one year or less or who is a year-to-year tenant if the
15 property owner receives written notice from a law enforcement agency of a city, town
16 or village, as defined in s. 165.83 (1) (b), that a nuisance under s. 823.113 (1) or (1m)
17 (b) exists in that tenant's rental unit or was caused by that tenant on the property
18 owner's property and if the property owner gives the tenant written notice requiring
19 the tenant to vacate on or before a date at least 5 days after the giving of the notice.
20 The notice shall state the basis for its issuance and the right of the tenant to contest
21 the termination of tenancy in an eviction action under ch. 799. If the tenant contests
22 the termination of tenancy, the tenancy may not be terminated without proof by the
23 property owner by the greater preponderance of the credible evidence of the
24 allegation in the notice from the law enforcement agency of a city, town or village that

1 a nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental unit or was
2 caused by that tenant.

3 **SECTION 3.** 704.17 (3) (b) of the statutes is amended to read:

4 704.17 (3) (b) A property owner may terminate the tenancy of a tenant who is
5 under a lease for a term of more than one year if the property owner receives written
6 notice from a law enforcement agency of a city, town or village, as defined in s. 165.83
7 (1) (b), that a nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental
8 unit or was caused by that tenant on the property owner's property and if the
9 property owner gives the tenant written notice to vacate on or before a date at least
10 5 days after the giving of the notice. The notice shall state the basis for its issuance
11 and the right of the tenant to contest the termination of tenancy in an eviction action
12 under ch. 799. If the tenant contests the termination of tenancy, the tenancy may
13 not be terminated without proof by the property owner by the greater preponderance
14 of the credible evidence of the allegation in the notice from the law enforcement
15 agency of a city, town or village that a nuisance under s. 823.113 (1) or (1m) (b) exists
16 in that tenant's rental unit or was caused by that tenant.

17

(END) ✓

✓
insert

3-16

[INSERTS] ✓
**1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1031/lins
RPN:pgt&jlg:jf

1 [insert an] ✓ Under current law, the city, town or village, and officers and
2 employes of those municipalities who act in good faith, are immune from liability for
3 acts or omissions related to the provision of a notice that a rental unit is a public
4 nuisance.

5 [insert 3-16] ✓

6 **SECTION 1.** 893.80 (7) of the statutes is amended to read:

7 893.80 (7) No suit may be brought against ~~any city, town or village or~~ ✓ the state
8 or any governmental subdivision or agency thereof or against any officer, official,
9 agent or employe of any of those entities who, in good faith, acts or fails to act to
10 provide a notice to a property owner that a public nuisance under s. 823.113 (1) or
11 (1m) (b) exists.

History: Sup. Ct. Order, 67 W (2d) 585, 784 (1975); 1975 c. 218; 1977 c. 285, 447; 1979 c. 34; 1979 c. 323 s. 29; Stats. 1979 s. 893.80; 1981 c. 63; 1985 a. 340; 1987 a. 377; 1993 a. 139; 1995 a. 6, 158, 267; 1997 a. 27.

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 12/23/98

To: Senator Moore

Relating to LRB drafting number: LRB-1031

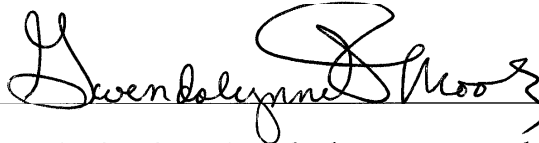
Topic

Drug nuisance notice to landlord by law enforcement agency

Subject(s)

Courts - miscellaneous

1. **JACKET** the draft for introduction _____



in the **Senate** or the **Assembly** _____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Robert P. Nelson, Senior Legislative Attorney
Telephone: (608) 267-7511



1999 BILL

1 *gen. cat.*
AN ACT to amend 704.17 (1) (c), 704.17 (2) (c), 704.17 (3) (b) and 893.80 (7) of the
2 statutes; **relating to:** termination of a tenancy if notice given regarding drug
3 or criminal gang activity.

Analysis by the Legislative Reference Bureau

Under current law, if a property owner receives notice from a law enforcement agency of a city, town or village that a rental unit is a nuisance because the unit is being used to facilitate the delivery, distribution or manufacture of a controlled substance or is being used to facilitate the activities of a criminal gang, the property owner may terminate the tenancy by giving the tenant written notice requiring the tenant to vacate on or before a date at least five days after the giving of the notice.

Under current law, the city, town or village, and officers and employees of those municipalities who act in good faith, are immune from liability for acts or omissions related to the provision of a notice that a rental unit is a public nuisance.

This bill expands the law enforcement agencies that may give notice to a property owner that a rental unit is a nuisance to include any law enforcement agency of the state or of a political subdivision of the state and provides immunity to those additional entities and their officers and employees.

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

BILL

1 **SECTION 1.** 704.17 (1) (c) of the statutes is amended to read:

2 704.17 (1) (c) A property owner may terminate the tenancy of a week-to-week
3 or month-to-month tenant if the property owner receives written notice from a law
4 enforcement agency of a city, town or village, as defined in s. 165.83 (1) (b), that a
5 nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental unit or was
6 caused by that tenant on the property owner's property and if the property owner
7 gives the tenant written notice requiring the tenant to vacate on or before a date at
8 least 5 days after the giving of the notice. The notice shall state the basis for its
9 issuance and the right of the tenant to contest the termination of tenancy in an
10 eviction action under ch. 799. If the tenant contests the termination of tenancy, the
11 tenancy may not be terminated without proof by the property owner by the greater
12 preponderance of the credible evidence of the allegation in the notice from the law
13 enforcement agency of a city, town or village that a nuisance under s. 823.113 (1) or
14 (1m) (b) exists in that tenant's rental unit or was caused by that tenant.

15 **SECTION 2.** 704.17 (2) (c) of the statutes is amended to read:

16 704.17 (2) (c) A property owner may terminate the tenancy of a tenant who is
17 under a lease for a term of one year or less or who is a year-to-year tenant if the
18 property owner receives written notice from a law enforcement agency of a city, town
19 or village, as defined in s. 165.83 (1) (b), that a nuisance under s. 823.113 (1) or (1m)
20 (b) exists in that tenant's rental unit or was caused by that tenant on the property
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23 The notice shall state the basis for its issuance and the right of the tenant to contest
24 the termination of tenancy in an eviction action under ch. 799. If the tenant contests
25 the termination of tenancy, the tenancy may not be terminated without proof by the

scored } This paragraph does not require the sheriff
of Milwaukee County to provide a property owner
with a written notice that a nuisance exists under
s. 823.113 (1) or (1m)(b).

BILL

1 property owner by the greater preponderance of the credible evidence of the
 2 allegation in the notice from the law enforcement agency [✓] of a city, town or village that
 3 a nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental unit or was
 4 caused by that tenant.

[insert two times]

This paragraph does not require the sheriff of Milwaukee County to provide a property owner with a written notice that a nuisance exists under s. 823.113 (1) or (1m) (b).

SECTION 3. 704.17 (3) (b) of the statutes is amended to read:

(1) or (1m) (b)

6 704.17 (3) (b) A property owner may terminate the tenancy of a tenant who is
 7 under a lease for a term of more than one year if the property owner receives written
 8 notice from a law enforcement agency of a city, town or village, as defined in s. 165.83
 9 (1) (b), that a nuisance under s. 823.113 (1) or (1m) (b) exists in that tenant's rental
 10 unit or was caused by that tenant on the property owner's property and if the
 11 property owner gives the tenant written notice to vacate on or before a date at least
 12 5 days after the giving of the notice. The notice shall state the basis for its issuance
 13 and the right of the tenant to contest the termination of tenancy in an eviction action
 14 under ch. 799. If the tenant contests the termination of tenancy, the tenancy may
 15 not be terminated without proof by the property owner by the greater preponderance
 16 of the credible evidence of the allegation in the notice from the law enforcement
 17 agency [✓] of a city, town or village that a nuisance under s. 823.113 (1) or (1m) (b) exists
 18 in that tenant's rental unit or was caused by that tenant.

SECTION 4. 893.80 (7) of the statutes is amended to read:

20 893.80 (7) No suit may be brought against any city, town or village or the state
 21 or any governmental subdivision or agency thereof or against any officer, official,
 22 agent or employe of any of those entities who, in good faith, acts or fails to act to
 23 provide a notice to a property owner that a public nuisance under s. 823.113 (1) or
 24 (1m) (b) exists.