

2003 Assembly Bill 890

Date of enactment: **April 15, 2004**
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2003 WISCONSIN ACT 259

AN ACT *to renumber* 181.0704 (1) and 181.0708 (1); *to renumber and amend* 181.0821 (1); *to amend* 181.0704 (2) and 181.0820 (3) (a) 1.; and *to create* 181.0704 (1m), 181.0708 (1m) and 181.0821 (1m) of the statutes; **relating to:** meetings of the board and members of nonprofit corporations.

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

SECTION 1g. 181.0704 (1) of the statutes is renumbered 181.0704 (1r).

SECTION 1m. 181.0704 (1m) of the statutes is created to read:

181.0704 (1m) DEFINITIONS. In this section:

(a) “In writing” or “written” includes a communication that is transmitted or received by electronic means.

(b) “Sign” includes executing an electronic signature.

SECTION 1r. 181.0704 (2) of the statutes is amended to read:

181.0704 (2) RECORD DATE. If not otherwise determined under s. 181.0160 or 181.0707, the record date for determining members entitled to take action without a meeting is the date on which the first member signs the consent under sub. (1) (1r).

SECTION 1x. 181.0708 (1) of the statutes is renumbered 181.0708 (1r).

SECTION 2. 181.0708 (1m) of the statutes is created to read:

181.0708 (1m) DEFINITION. In this section, “written

ballot” includes a ballot transmitted or received by electronic means.

SECTION 3. 181.0820 (3) (a) 1. of the statutes is amended to read:

181.0820 (3) (a) 1. All participating directors may simultaneously hear or read each other's communications during the meeting.

SECTION 4. 181.0821 (1) of the statutes is renumbered 181.0821 (1r) and amended to read:

181.0821 (1r) METHOD. An action required or permitted to be taken at a board meeting may be taken without a meeting if a consent in writing setting forth the action is signed by all of the directors then in office. If the articles of incorporation or bylaws so provide, an action required or permitted to be taken at a board meeting may be taken by written action signed by two-thirds of the directors then in office.

SECTION 5. 181.0821 (1m) of the statutes is created to read:

181.0821 (1m) DEFINITIONS. In this section:

(a) “In writing” or “written” includes a communication that is transmitted or received by electronic means.

(b) “Sign” includes executing an electronic signature.

* Section 991.11, WISCONSIN STATUTES 2001–02 : 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].