

2005 DRAFTING REQUEST

Assembly Amendment (AA-AB536)

Received: 12/05/2005

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **Joyce**

This file may be shown to any legislator: **NO**

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - counties**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Albers@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibiting register of deeds from recording certain instruments; identity theft

Instructions:

See Attached. Require reg. of deeds, county boards, to adopt policies to protect existing records, documents, from a release that could lead to identity theft.

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>
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FE Sent For:

<END>

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/1	mshovers	1/12/05 jld		J. Self			
11	MES	12/5/05		12/5			

FE Sent For:

<END>

Shovers, Marc

From: LRB.Legal
Sent: Monday, December 05, 2005 9:59 AM
To: Shovers, Marc
Subject: FW: Amendment to AB 536

Sarah Basford

Program Assistant
State of Wisconsin
Legislative Reference Bureau
PH: (608) 266-3561/FAX: (608) 264-6948
sarah.basford@legis.state.wi.us

From: Waldrop, Joyce
Sent: Monday, December 05, 2005 9:46 AM
To: LRB.Legal
Subject: Amendment to AB 536

Would you please draft an amendment to AB 536 that requires all Register of Deeds or County Boards to adopt policies and procedures which protect records now in existence as a recorded document from identity theft or release of information that could result in identity theft. The bill is on the schedule for tomorrow Dec. 6 so this is need ASAP.

Sheryl

Sheryl K. Albers
State Representative
50th Assembly District

15 North State Capitol
Madison, WI 53708
Ph 608/266-8531
Fax 608/283-3650



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa1678/1

MES:m:....

Handwritten signature/initials in a circle

ASSEMBLY AMENDMENT,
TO 2005 ASSEMBLY BILL 536

P-NOTE
*WANTED:
today
2 pm*

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: after "number" insert ", requiring a register of deeds and a
3 county board to develop policies to prevent identity theft,".

4 **2.** Page 2, line 3: after that line insert:

5 "SECTION **1m.** 59.43 (1) (dm) of the statutes is created to read:

6 59.43 (1) (dm) Develop policies and procedures to protect the items described
7 in par. (d), no matter when such items came into the register of deeds' custody, from
8 being used in a way that could lead to identity theft. //

9 **3.** Page 3, line 8: after that line insert:

10 "SECTION **2m.** 59.52 (2) of the statutes is amended to read:

11 59.52 (2) PUBLIC RECORDS. The board may prescribe the form and manner of
12 keeping the records in any county office and the accounts of county officers. The
13 board may enact an ordinance designating legal custodians for the county. Unless

1 prohibited by law, the ordinance may require the clerk or the clerk's designee to act
 2 as legal custodian for the board and for any committees, commissions, boards or
 3 authorities created by ordinance or resolution of the board. The board shall develop
 4 policies and procedures to protect county records, no matter when such records
 5 became county records, from being used in a way that could lead to identity theft.

History: 1995 a. 201 ss. 104, 111 to 115, 117 to 122, 124, 127, 134, 139, 140, 157, 174, 181, 185, 186, 190, 238, 242, 252 to 256, 354, 356 to 360, 414 to 419, 432; 1995 a. 225 s. 135; 1997 a. 35, 237; 1999 a. 9, 83; 1999 a. 150 s. 672; 2001 a. 16, 104; 2005 a. 22.

6 **4.** Page 3, line 10: delete lines 10 and 11 and substitute:

7 ^m(1) The treatment of section 59.43 (1) (intro) and (1m) of the statutes first
 8 applies to an instrument that is presented to a register of deeds for recording on the
 9 effective date of this subsection.

10 **SECTION 4m. Effective dates.** This act takes effect on the day after
 11 publication, except as follows:

12 (1) The treatment of sections 59.43 (1) (d) and 59.52 (2) of the statutes takes
 13 effect on the first day of the ^{4th} month beginning after the effective date of this

14 ^{act.} subsection
 15

(END)

d-note
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1678/1dn

MES [↑]...

Jld

Representative Albers:

Amendment sections 1m and 2m have a delayed effective date to give the registers of deeds and county boards a little time to develop the policies and procedures you want them to develop. Please let me know if this does not reflect your intent. ✓

Marc E. Shovers
Senior Legislative Attorney
Phone: (608) 266-0129
E-mail: marc.shovers@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa1678/1dn
MES:jld:jf

December 5, 2005

Representative Albers:

Amendment SECTIONS 1m and 2m have a delayed effective date to give the registers of deeds and county boards a little time to develop the policies and procedures you want them to develop. Please let me know if this does not reflect your intent.

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