# 2005 DRAFTING REQUEST

Assembly	Amendment	(	A.	<b>A-</b>	ΑŦ	35.	36	((
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Received: 12/05/2005

Wanted: As time permits

For: Sheryl Albers (608) 266-8531

This file may be shown to any legislator: NO

May Contact:

Subject:

Local Gov't - counties

Received By: mshovers

Identical to LRB:

By/Representing: Joyce

Drafter: mshovers

Addl. Drafters:

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 intstruments; 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:**

Vers.	<u>Drafted</u>	Reviewed	<u>Typed</u>	<u>Proofed</u>	Submitted	<u>Jacketed</u>	Required
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FE Sent For:

<END>

# 2005 DRAFTING REQUEST

# **Assembly Amendment (AA-AB536)**

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Wanted: As time permits

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For: Sheryl Albers (608) 266-8531

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**Typed** 

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Submitted

<u>Jacketed</u>

Required

/1 mshovers

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 Representive 50th Assembly District

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



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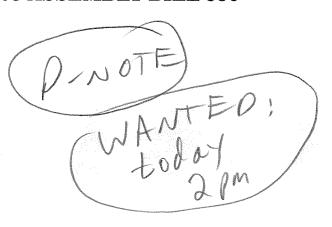
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# State of Misconsin 2005 - 2006 LEGISLATURE

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# ASSEMBLY AMENDMENT, TO 2005 ASSEMBLY BILL 536



- 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 county board to develop policies to prevent identity theft,".
  - **2.** Page 2, line 3: after that line insert:
  - "SECTION 1m. 59.43 (1) (dm) of the statutes is created to read:
  - 59.43 (1) (dm) Develop policies and procedures to protect the items described in par. (d), no matter when such items came into the register of deeds' custody, from being used in a way that could lead to identity theft.
    - 3. Page 3, line 8: after that line insert:
- 10 "Section 2m. 59.52 (2) of the statutes is amended to read:
  - 59.52 (2) PUBLIC RECORDS. The board may prescribe the form and manner of keeping the records in any county office and the accounts of county officers. The board may enact an ordinance designating legal custodians for the county. Unless

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prohibited by law, the ordinance may require the clerk or the clerk's designee to act as legal custodian for the board and for any committees, commissions, boards or authorities created by ordinance or resolution of the board. The board shall develop policies and procedures to protect county records, no matter when such records 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. 25 s. 135; 1997 a. 35, 237; 1999 a. 9, 83; 1999 a. 150 s. 672; 2001 a. 16, 104; 2005 a. 22.

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

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

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

(1) The treatment of sections 59.43 (1) (d) and 59.52 (2) of the statutes takes effect on the first day of the wourth month beginning after the effective date of this wor.".

- subsection

(END)

d-note

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa1678/1dn MES

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:

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