

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2688/P1dn
EVM:nwn:md

May 26, 2009

ATTN: Representative Petrowski

The current notice publication requirements in s. 59.66 (1) and (2), stats., require publication for three consecutive weeks. The consequences of a failure to take action to claim unclaimed funds take effect after various time periods that run from the date of final publication. This draft does not require that the Internet posting by the county treasurer continue for any specific period of time. Because there is no mandatory end date for the posting, I have linked the waiting periods to the initial posting. Please let me know if you would like these features changed.

Your instructions specifically referenced the sheriff. Section 59.66 (3), stats., provides a procedure for the sheriff to sell several types of unclaimed personal property. There is no requirement for a class 3 notice. There is, however, a requirement that notices of a public auction be posted in three public places in the county. Would you like this provision changed to allow posting of the notice on the county's Web site?

Also, your instructions specifically requested a change to s. 59.66 (2), stats., but indicated that similar requirements for other county officers should be treated. Section 59.66 (2), stats., actually covers most county or local governmental officials. There is, however, a somewhat similar provision specifically related to unclaimed funds held by the clerk of circuit court in s. 59.66 (1), stats., that I have treated in this draft. Let me know if this is not your intent or if you would like any other changes to the draft.

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