



2009 ASSEMBLY BILL 638

1 **AN ACT** *to renumber and amend* 66.1102 (1); *to amend* 19.35 (1) (b), 19.35 (1)
2 (f) and 66.1102 (title); and *to create* 19.35 (3) (g), 66.1102 (1) (a) and 66.1102
3 (4) of the statutes; **relating to:** the format and fees for obtaining copies of public
4 records.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 19.35 (1) (b) of the statutes is amended to read:
6 19.35 **(1)** (b) Except as otherwise provided by law, any requester has a right to
7 inspect a record and to make or receive a copy of a record ~~which appears in written~~
8 ~~form~~. If a requester appears personally to request a copy of a record that permits
9 photocopying, the authority having custody of the record may, at its option, permit
10 the requester to photocopy the record or provide the requester with a copy
11 substantially as readable as the original.

ASSEMBLY BILL 638**SECTION 2**

1 **SECTION 2.** 19.35 (1) (f) of the statutes is amended to read:

2 19.35 (1) (f) ~~Except Notwithstanding par. (b) and except~~ as otherwise provided
3 by law, any requester has a right to inspect any record not specified in pars. ~~(b) (c)~~
4 to (e) the form of which does not permit copying. If a requester requests permission
5 to photograph the record, the authority having custody of the record may permit the
6 requester to photograph the record. If a requester requests that a photograph of the
7 record be provided, the authority shall provide a good quality photograph of the
8 record.

9 **SECTION 3.** 19.35 (3) (g) of the statutes is created to read:

10 19.35 (3) (g) Notwithstanding par. (a), if a record is produced or collected by a
11 person who is not an authority pursuant to a contract entered into by that person
12 with an authority, the authorized fees for obtaining a copy of the record may not
13 exceed the actual, necessary, and direct cost of reproduction or transcription of the
14 record incurred by the person who makes the reproduction or transcription, unless
15 a fee is otherwise established or authorized to be established by law.

16 **SECTION 4e.** 66.1102 (title) of the statutes is amended to read:

17 **66.1102 (title) ~~Development of land, Land development; notification;~~**
18 **records requests.**

19 **SECTION 4j.** 66.1102 (1) of the statutes is renumbered 66.1102 (1) (intro.) and
20 amended to read:

21 66.1102 (1) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section “political:

22 (b) “Political subdivision” means any city, village, town, or county.

23 **SECTION 4m.** 66.1102 (1) (a) of the statutes is created to read:

24 66.1102 (1) (a) “Land information” has the meaning given in s. 59.72 (1) (a).

25 **SECTION 4s.** 66.1102 (4) of the statutes is created to read:

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1 66.1102 (4) LAND INFORMATION RECORD REQUESTS. Whenever any office or officer
2 of a political subdivision receives a request to copy a record containing land
3 information, the requester has a right to receive a copy of the record in the same
4 format in which the record is maintained by the custodian, unless the requester
5 requests that a copy be provided in a different format that is authorized by law.

6

(END)