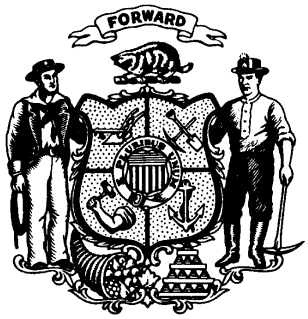
State of Wisconsin



2025 Assembly Bill 123

Date of enactment: December 9, 2025
Date of publication*: December 10, 2025

2025 WISCONSIN ACT 81

AN ACT *to amend* 767.117 (1) (c), 767.215 (2) (j) 1., 767.41 (6) (h) 3., 767.481 (1) (a), 767.481 (1) (d) and 767.481 (5); *to create* 767.001 (1fm) of the statutes; **relating to:** calculation of miles for purposes of relocation of a child 100 miles or more from the other parent in an action affecting the family.

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

SECTION 1. 767.001 (1fm) of the statutes is created to read:

767.001 **(1fm)** "Driving miles" means the actual distance traveling by road required to get from one location to another.

SECTION 2. 767.117 (1) (c) of the statutes is amended to read:

767.117 **(1)** (c) Unless the action is one under s. 767.001 (1) (g) or (h), without the consent of the other party or an order of the court, relocating and establishing a residence with a minor child of the parties more than 100 driving miles from the residence of the other party, removing a minor child of the parties from the state for more than 90 consecutive days, or concealing a minor child of the parties from the other party.

SECTION 3. 767.215 (2) (j) 1. of the statutes is amended to read:

767.215 **(2)** (j) 1. Relocating and establishing a residence with a minor child of the parties more than 100 driving miles from the residence of the other party.

SECTION 4. 767.41 (6) (h) 3. of the statutes is amended to read:

767.41 **(6)** (h) 3. That a parent granted periods of physical placement with the child must obtain a court order before relocating with the child 100 driving miles or more from the other parent if the other parent also has court-ordered periods of physical placement with the child.

SECTION 5. 767.481 (1) (a) of the statutes is amended to read:

767.481 **(1)** (a) Except as provided in par. (d), if the court grants any periods of physical placement with a child to both parents and one parent intends to relocate and reside with the child 100 driving miles or more from the other parent, the parent who intends to relocate and reside with the child shall file a motion with the court seeking permission for the child's relocation.

SECTION 6. 767.481 (1) (d) of the statutes is amended to read:

767.481 **(1)** (d) The requirement to file a motion under par. (a) does not apply if the child's parents already live more than 100 driving miles apart when a parent proposes to relocate and reside with the child. If the parents already live more than 100 driving miles apart, the parent who intends to relocate with the child shall serve written notice of his or her intent to relocate on the other parent at least 60 days before relocation. Such written notice shall include the date on which the parent intends to relocate and the parent's new address.

* Section 991.11, WISCONSIN STATUTES: 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."

SECTION 7. 767.481 (5) of the statutes is amended to read:

767.481 **(5)** STIPULATIONS. At any time after a motion is filed under sub. (1), if the parties agree that one parent may relocate more than 100 driving miles away from the other parent, the parties may file a stipulation with the court that specifies that neither parent has any objection to the planned relocation and that sets out any agreed upon modification to legal custody or periods of physical placement, including responsibility and costs for transportation of the child between the parties under a proposed new placement schedule. The court shall incorporate the terms of the stipulation into an order for the relocation or a revised order of legal custody or physical placement, as appropriate, unless the court finds that the modification is not in the best interest of the child.