

1983 Senate Bill 378

Date of enactment: **March 8, 1984**
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1983 Wisconsin Act 145

AN ACT to amend 66.042 (3) and 66.042 (4); and to create 66.042 (3m) of the statutes, relating to authorizing counties, municipalities and school districts to use money transfer techniques for periodic disbursements.

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

SECTION 1. 66.042 (3) of the statutes is amended to read:

66.042 (3) Except in ~~1st class cities and counties having a population of 500,000 or more~~ as provided in subs. (2), (3m) and (5), disbursements of the county, city, village, town or school district funds from demand deposits shall be by draft or order check and withdrawals from savings or time deposits by written transfer order. Written transfer orders may be executed only for the purpose of transferring deposits to an authorized deposit of the public depositor in the same or another authorized public depository. The transfer shall be made directly by the public depository from which the withdrawal is made. No draft or order check issued under this subsection may be released to the payee, nor is the draft or order check valid, unless signed by the clerk and treasurer. No transfer order is valid unless signed by the clerk and the treasurer. Unless otherwise directed by ordinance or resolution adopted by the governing body, a certified copy of which shall be filed with each public depository concerned, the chairman of the county board, mayor, village president, town chairman or director or president of the school district, as the case may be, shall countersign all drafts or order checks and all transfer orders. The governing body may also by ordinance or resolution authorize additional signatures. In

lieu of the personal signatures of the clerk and treasurer and such other signature as may be required, the facsimile signature adopted by the person and approved by the governing body concerned may be affixed to the draft, order check or transfer order. The use of a facsimile signature does not relieve any official from any liability to which the official is otherwise subject, including the unauthorized use of the facsimile signature. Any public depository shall be fully warranted and protected in making payment on any draft or order check or transferring pursuant to a transfer order bearing a facsimile signature affixed as provided by this subsection notwithstanding that the facsimile signature may have been placed thereon without the authority of the designated persons.

SECTION 2. 66.042 (3m) of the statutes is created to read:

66.042 (3m) Any county, city, village, town or school district may process periodic payments through the use of money transfer techniques, including direct deposit, electronic funds transfer and automated clearinghouse methods. The county, municipal or school district treasurer shall keep a record of the date, payee and amount of each disbursement made by a money transfer technique.

SECTION 3. 66.042 (4) of the statutes is amended to read:

66.042 (4) ~~Whenever~~ Except as provided in sub. (3m), if any board, commission or committee of any county, city, village, town or school district is vested by statute with exclusive control and management of a fund, including the audit and approval of payments therefrom, independently of the governing body, such payments shall be made by drafts or order checks issued by the county, city, village, town or school clerk upon the filing with him or her of certified bills, vouchers or schedules signed by the proper officers of such board, commission or committee, giving the name of the claimant or payee, and the amount and nature of each payment.

SECTION 4. **Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A	B	C
Statute Sections	Old Cross-References	New Cross-References
66.042 (1)	subs. (2), (3), (4) and (5)	subs. (2) to (5)
