

State of Wisconsin



2015 Senate Bill 527

Date of enactment: **March 1, 2016**
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2015 WISCONSIN ACT 246

AN ACT *to renumber and amend* 59.66 (1) (c); *to amend* 59.66 (2) (a) 1., 59.66 (2) (a) 2. and 59.66 (2) (am); and *to create* 59.66 (1) (c) 1. b., 59.66 (2) (a) 1g. a. and 59.66 (2) (a) 1g. b. of the statutes; **relating to:** notice of unclaimed funds held by a county treasurer.

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

SECTION 1. 59.66 (1) (c) of the statutes is renumbered 59.66 (1) (c) 1. (intro.) and amended to read:

59.66 (1) (c) 1. (intro.) On or before March 1 of the same year ~~that the circuit court clerk turns over money or securities to the treasurer under par. (b),~~ the treasurer shall ~~publish~~ provide notice in any of the following manners:

a. By providing in the county, a class 3 notice, under ch. 985, ~~of the fact that he or she has names and last-known addresses of the owners of unclaimed moneys, securities, or funds that have a value of at least \$20 and that are in his or her the treasurer's possession for disposition.~~

2. If no legal claim is made for the moneys, securities, or funds within 90 days after the last publication ~~above~~ provided for under subd. 1., then the treasurer shall deposit the moneys, securities, or funds, together with all interest and profits thereon, in the general fund of the county treasury, and no action may thereafter be maintained by any person, firm, or corporation against the county or the treasurer for the moneys, securities, or funds.

SECTION 2. 59.66 (1) (c) 1. b. of the statutes is created to read:

59.66 (1) (c) 1. b. By providing in the county, a class 1 notice, under ch. 985, of the names and last-known addresses of the owners of unclaimed moneys, securities, or funds that have a value of at least \$20 and are in the treasurer's possession for disposition, and, beginning the week after the class 1 notice, providing a class 2 notice, under ch. 985, that a list of names and last-known addresses of the owners of unclaimed moneys, securities, or funds that have a value of at least \$20 and that are in the treasurer's possession for disposition is available on the county's Internet site, on the Wisconsin newspapers legal notices Internet site, as defined in s. 985.01 (7), and at the treasurer's office. If the treasurer provides notice under this subd. 1. b., the treasurer shall make available the list of names and last-known addresses of the owners of unclaimed moneys, securities, or funds that have a value of at least \$20 and that are in the treasurer's possession for disposition on the county's Internet site and at the treasurer's office.

SECTION 3. 59.66 (2) (a) 1. of the statutes is amended to read:

59.66 (2) (a) 1. On or before January 10 of every odd-numbered year, each officer of a municipality and county, and each clerk of every court of record, shall file with the treasurer of that person's county a written report under oath giving the names and the last-known addresses of all persons for whom any such officer or clerk holds money

* 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."

or security, and which has not been claimed for at least one year, and showing the amount of the money or the nature of the security in detail. A duplicate report shall also be mailed to the department of financial institutions.

1g. Upon receiving the reports under subd. 1., the treasurer shall ~~cause to be published a class 3 notice, under ch. 985, on or before February 1 of the same year, which contains the names and last-known addresses of the owners of the unclaimed money or security that has a value of at least \$10, and shall state that unless the owners call for and prove their ownership of the money or security, within 6 months from the time of the completed publication, the treasurer will take possession or control of the money or security.~~ provide notice in any of the following manners:

1t. At the end of the 6 months from the time of the completed publication notice procedure under subd. 1g., the treasurer shall also take possession or control of all money or security of persons for whom an officer of a municipality and county, and each clerk of every court of record, holds money or security, and which has not been claimed for at least one year, if the money or security has a value of less than \$20.

SECTION 4. 59.66 (2) (a) 1g. a. of the statutes is created to read:

59.66 (2) (a) 1g. a. By providing a class 3 notice, under ch. 985, of the names and last-known addresses of the owners of unclaimed money or security that has a value of at least \$20. Each notice under this subd. 1g. a. shall state that unless the owner requests and proves ownership of the money or security within 6 months from the time of the completed publication, the treasurer will take possession of the money or security.

SECTION 5. 59.66 (2) (a) 1g. b. of the statutes is created to read:

59.66 (2) (a) 1g. b. By providing a class 1 notice, under ch. 985, of the names and last-known addresses of the owners of unclaimed money or security that has a

value of at least \$20, and, beginning the week after the class 1 notice, providing a class 2 notice, under ch. 985, that a list of names and last-known addresses of the owners of unclaimed money or security that has a value of at least \$20 is available on the county's Internet site, on the Wisconsin newspapers legal notices Internet site, as defined in s. 985.01 (7), and at the treasurer's office. Each notice under this subd. 1g. b. shall state that unless the owner requests and proves ownership of the money or security within 6 months from the time of the completed publication, the treasurer will take possession of the money or security. If the treasurer provides notice under this subd. 1g. b., the treasurer shall make available the list of names and last-known addresses of the owners of unclaimed money or security that has a value of at least \$20 on the county's Internet site and at the treasurer's office.

SECTION 6. 59.66 (2) (a) 2. of the statutes is amended to read:

59.66 (2) (a) 2. In counties with a population of 500,000 or more, the treasurer shall distribute to as many community-based newspapers as possible, that are published in the county, a copy of ~~the a~~ notice that is described in subd. ~~1.~~ 1g. The treasurer shall distribute these copies of notices at the same time that he or she causes the notices to be published.

SECTION 7. 59.66 (2) (am) of the statutes is amended to read:

59.66 (2) (am) Any money or security of which the treasurer has taken possession or control under par. (a) ~~1.~~ and has had in his or her possession or control for more than one year shall, to the extent possible, be deposited in the county's general revenue fund. Money or security that is deposited under this paragraph may remain in the county's general revenue fund or may be used by the county until the money or security is paid or delivered to its owner, or becomes the property of the county, under par. (b).