



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

<p>2017 Wisconsin Act 282 [2017 Assembly Bill 731]</p>	<p>Newspaper Qualification</p>
---	---------------------------------------

Prior law provided that no publisher of any newspaper in this state shall be awarded or entitled to any compensation or fee for the publishing of any legal notice unless, for at least two of the five years immediately before the date of the notice publication, the newspaper has been published regularly and continuously in the city, village, or town where published, and has had a bona fide paid circulation that has:

- Constituted 50% or more of its circulation; and
- Actual subscribers at each publication of not less than 1,000 copies in first and second class cities, or 300 copies if in third and fourth class cities, villages, or towns.

2017 Wisconsin Act 282 broadens the scope of newspapers that may be compensated for publication of a legal notice to also include the following:

- A newspaper that is a successor to a newspaper described above if the successor newspaper has resumed publication following succession within 30 days.
- A newspaper that has had a bona fide paid circulation, which has merged or consolidated with one or more newspapers and one of the newspapers subject to the consolidation or merger has been continuously published at regular intervals of at least once each week for at least 50 issues each year for at least one year prior to the first publication of the notice.

Under Act 282, if no newspaper in a city, village, or town satisfies the bona fide paid circulation and durational requirements, a newspaper that is published regularly and continuously in the city, village, or town and that meets the other qualifications for receiving a fee may be awarded or entitled to a fee for publishing a legal notice if publication in the newspaper is likely to give notice in the area or to the affected person.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

The Act also modifies the definition of “newspaper.” Under prior law, a newspaper was defined, in part, as “a publication that is published at regular intervals and at least once a week, containing reports of happenings of recent occurrence of a varied character, such as political, social, moral and religious subjects, designed to inform the general reader.” Under the Act, the publication must contain, on average, 25% “news content” per issue. The Act defines “news content” to mean “written information and images, other than advertisements, that are printed in a publication.”

Effective date: April 18, 2018

Prepared by: Steve McCarthy, Staff Attorney

May 2, 2018

SM:mcm;ksm