

---

# Wisconsin Legislative Council

## ACT MEMO

---



**Prepared by:** Peggy Hurley, Staff Attorney

December 17, 2019

### 2019 Wisconsin Act 32 [2019 Assembly Bill 112]

### Publication of Legal Notices

## BACKGROUND

Under state law, a legal notice may be published in a newspaper under certain circumstances. State law requires the notice to be published in a newspaper likely to give notice in the area or to the person affected and, depending on the classification of the notice, a minimum number of times in a newspaper.

State law defines a “newspaper” as a publication that is published at regular intervals and at least once a week, containing, on average, 25 percent news content per issue. State law identifies three classifications of notice requirements: a class 1 notice requires one insertion; a class 2 notice requires two insertions; and a class 3 notice requires three insertions. Under state law, when used to indicate the publication of a legal notice more than one time, an “insertion” means publication once each week for consecutive weeks, the last of which must be at least one week before the act or event.

Under state law, the editor, publisher, printer, or proprietor of a newspaper may submit as presumptive evidence of publication an affidavit indicating the dates of insertion in the newspaper; the affidavit must be accompanied by a copy of the notice clipped from the newspaper.

## 2019 WISCONSIN ACT 32

2019 Wisconsin Act 32 defines “newspaper” to include a newspaper published in the Town of Washington in Door County, at least two times each month. The act defines an “insertion” to include publication once in each issue of consecutive issues of a newspaper published in the town of Washington in Door County that are published at intervals of at least one week, so long as the last issue of which is published at least one week before the act or event to which the publication relates. The act also indicates that a copy of the notice clipped from the newspaper that accompanies an affidavit of publication may be in hard copy or electronic format.

**Effective date:** November 22, 2019

PJH:mcm;jal