
Wisconsin Legislative Council

AMENDMENT MEMO



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2021 Assembly Bill 47

Assembly Amendment 1

2021 ASSEMBLY BILL 47

2021 Assembly Bill 47 modifies qualification requirements for newspapers that publish legally required public notices. Specifically, the bill does all of the following:

- Modifies the definition of “bona fide circulation” to remove a requirement that a newspaper must sell 50 percent or more of the newspaper’s circulation to be qualified. (The bill retains a requirement to have either 300 or 1,000 paid subscribers, depending on the size of the municipality where published.)
- Requires that a newspaper has published at least 50 consecutive issues at least once per week prior to the first publication of a public notice in the municipality where it is published, or to have been succeeded by or merged with such a newspaper. (In contrast, current law generally requires a newspaper to have been published regularly and continuously for at least two of the past five years.)
- Changes an alternative qualification requirement from “published regularly and continuously” to instead require that the newspaper both: (1) have published at least 50 issues over the past year; and (2) contained, on average, at least 10 percent news content per issue.¹
- Requires a newspaper that publishes a legal notice to have an Internet site and to provide electronic copies of legal notices under a prominent link on the site.
- Allows a newspaper to provide proof of certain publications (for multiple insertions) electronically.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 makes several changes to the bill. Specifically, it:

- Modifies a provision to clarify that a qualified newspaper’s paid subscribers may be digital, electronic, or print subscribers.
- As an alternative to publishing at least 50 consecutive issues at least once per week in the municipality where published, allows a newspaper to verify to the Department of Administration that the newspaper has been circulated to the requisite number of paid subscribers prior to the issuance of its mailing permit from its place of publication.
- Modifies the definition of “newspaper” to require a newspaper to publish a minimum of 50 issues each year, corresponding with a 50-issue requirement in other provisions of the bill.
- Removes the requirement to include at least 10 percent news content for the alternative qualification method, instead retaining a requirement to publish at least 25 percent news content.

¹ The alternative qualification requirements apply in a municipality in which no newspaper satisfies the general qualification criteria.

BILL HISTORY

Representative Kitchens and other representatives introduced 2021 Assembly Bill 47 on February 10, 2021. Following a public hearing on the bill, Representative Kitchens offered Assembly Amendment 1 on April 13, 2021. On April 15, 2021, the Assembly Committee on Local Government voted to recommend adoption of the amendment on a vote of Ayes, 6; Noes, 0. The committee then voted to recommend passage of the bill, as amended, on a vote of Ayes, 7; Noes, 0.

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