



## 2007 ASSEMBLY BILL 368

May 29, 2007 - Introduced by Representatives ALBERS, VOS, HAHN, TOWNSEND and OWENS, cosponsored by Senators A. LASEE and ROESSLER. Referred to Committee on Judiciary and Ethics.

- 1     **AN ACT to amend** 227.53 (1) (a) 2.; and **to create** 227.53 (1) (a) 2m. of the statutes;  
2             **relating to:** the time period to petition to review an administrative decision.

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### *Analysis by the Legislative Reference Bureau*

Under current law, as interpreted by the Wisconsin Court of Appeals in *Collins v. Policano*, 231 Wis. 2d 420, 605 N.W. 2d 260 (Ct. App. 1999), and *Hedrich v. Board of Regents of the University of Wisconsin System*, 248 Wis. 2d 204, 635 N.W.2d 650, (Ct. App. 2001), a person has six months after the date of service of an administrative decision in a noncontested case to seek judicial review of the decision. Currently, a person must appeal an administrative decision in a contested case within 30 days after the date of service of the administrative decision. A contested case is an agency proceeding in which the assertion of a party of a substantial interest is denied or challenged by another party and, after a hearing, a substantial interest of a party is determined or adversely affected by an agency decision or order. All others are noncontested cases.

This bill requires a person to appeal an administrative decision within 30 days after the date of service of the administrative decision in both contested and noncontested cases.

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

- 3             **SECTION 1.** 227.53 (1) (a) 2. of the statutes is amended to read:

