



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4808/P2
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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to amend* 44.03 (3) of the statutes; **relating to:** reports by affiliates to
2 the State Historical Society (suggested as remedial legislation by the State
3 Historical Society).

Analysis by the Legislative Reference Bureau

This bill requires additional information to be included in a report by a local historical society or other affiliate in its annual report to the State Historical Society.

Under current law, local historical societies and other historical organizations may be incorporated as affiliates of SHS for certain purposes, including gathering and preserving materials and artifacts relating to local history. SHS must work with affiliates in the encouragement, stimulation, and development of worthwhile historical projects and undertakings at the local level. An affiliate, if approved by the Board of Curators of SHS, may file with the Department of Financial Institutions articles of incorporation as a nonstock corporation without paying a filing fee to DFI. A nonstock corporation must file with DFI an annual report that includes 1) the name of the corporation; 2) the mailing address of its registered office and the name of its registered agent; 3) the mailing address of its current principal office; 4) the name and business address of each director and principal officer; 5) a brief description of the nature of its business; and 6) whether the corporation has members. A “member” is defined as a person who has membership rights in a nonstock corporation in accordance with the provisions of its articles of incorporation or bylaws.

Current law requires an affiliate of SHS to annually report to SHS the information specified in items 1 to 5, above. This bill requires the annual report to SHS to also include item 6, above.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the State Historical Society and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 44.03 (3) of the statutes is amended to read:

2 44.03 (3) Every affiliated society shall make a report of its work annually to the
3 historical society that contains the information specified in s. 181.1622 (1) (a) to (e)
4 (f), which, in its entirety or in part, may be included in the publications of the
5 historical society, and upon application of any affiliated society the historical society
6 may accept, in behalf of the state, custody of or title to the property, records and
7 collections of the affiliated society or may assist in the disposal thereof. If any
8 affiliated society becomes, in the opinion of the board of curators of the historical
9 society, inactive or defunct, title to such property, records and collections not
10 otherwise provided for in the grants of donors or in the articles of incorporation of the
11 inactive and defunct society, shall vest in the historical society which shall take
12 appropriate action in the public interest for the protection or disposal of such
13 property, records and collections. Preference in disposition shall be given to
14 historical or related organizations in the area or to whatever county or local
15 governmental unit that has aided such affiliate financially.

NOTE: This SECTION updates a cross-reference in order to expand on the information an affiliated society must include in its annual report to the State Historical Society.