

# State of Wisconsin



CORRECTED COPY

1995 Assembly Bill 466

Date of enactment: **February 26, 1996**

Date of publication\*: **March 11, 1996**

## 1995 WISCONSIN ACT 140

AN ACT to *amend* 32.28 (3) (intro.) of the statutes; **relating to**: the award of litigation expenses in condemnation proceedings.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is introduced by the law revision committee under s. 13.83 (1) (c) 1., stats. After careful consideration of the court of appeals decision in *Village of Shorewood v. Steinberg*, 166 Wis. 2d. 794 (Ct. App. 1992). the law revision committee has deter-

mined that codifying this decision is desirable as a matter of public policy.

**SECTION 1.** 32.28 (3) (intro.) of the statutes is amended to read:

32.28 (3) (intro.) In lieu of costs under ch. 814, ~~the court shall award~~ litigation expenses shall be awarded to the condemnee if:

CORRECTED COPY: This corrected copy of 1995 Wisconsin Act 140 deletes the embedded NOTE provided by the Law Revision Committee of the Joint Legislative Council. The NOTE described the treatment of section 38.28 (3) (b) of the statutes, which was deleted by Assembly Amendment 1 to 1995 Assembly Bill 466.

\* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].