



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 156
[2013 Assembly Bill 161]

**Appeal of Orders Affecting the
Enforcement of State Statutes**

2013 Wisconsin Act 156 relates to appeals of court orders that suspend or restrain the enforcement of state statutes.

Under prior law, unchanged by the Act, a final judgment or a final order of a circuit court may be appealed as a matter of right to the Court of Appeals, unless otherwise expressly provided by law. Also under prior law, retained by the Act with respect to orders other than those that suspend or restrain the enforcement of a state statute, a judgment or order that is interlocutory (i.e., not final) may be appealed to the Court of Appeals only in certain circumstances, upon leave granted by the court. In addition, a decision of the Court of Appeals is reviewable by the Supreme Court only if a petition for review is granted by the Supreme Court.

The Act creates a right to appeal for any court order that suspends or restrains the enforcement of a state statute. Specifically, under the Act, if a circuit court or the Court of Appeals enters an injunction, restraining order, or any other final or interlocutory order suspending or restraining the enforcement of any statute of this state, the injunction, restraining order, or other final or interlocutory order is immediately appealable as a matter of right.

Effective date: The Act took effect on March 29, 2014.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.