



2003 ASSEMBLY BILL 593

October 15, 2003 - Introduced by Representatives OWENS, AINSWORTH, HINES, LADWIG, F. LASEE and LOTHIAN, cosponsored by Senators A. LASEE, REYNOLDS and ROESSLER. Referred to Committee on Urban and Local Affairs.

1 **AN ACT** *to amend* 985.02 (1) and 985.03 (1) (a) (intro.); and *to create* 985.03 (1)
2 (am) of the statutes; **relating to:** publication of municipal legal notices.

Analysis by the Legislative Reference Bureau

Current law requires a municipality, including a school district, to publish a legal notice in a newspaper with paid circulation that is likely to give notice in the area or to the person affected.

The bill allows a municipality the additional options of: 1) publishing the legal notice in a free "shopper newspaper" if the publisher leaves at distribution points in the county in which the publisher is headquartered or in which the newspaper is published enough copies for 10% of the county's residents; or 2) posting the notice on the Internet site of the municipality.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 985.02 (1) of the statutes is amended to read:
4 985.02 (1) Except as otherwise provided by law, a legal notice shall be either
5 published in a newspaper likely to give notice in the area or to the person affected

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1 or posted on the Internet site of the municipality. Whenever the law requires
2 publication in a newspaper published in a designated municipality or area and no
3 newspaper is published therein publication shall be made in a newspaper likely to
4 give notice.

5 **SECTION 2.** 985.03 (1) (a) (intro.) of the statutes is amended to read:

6 985.03 (1) (a) (intro.) No Except as provided in par. (am), no publisher of any
7 newspaper in this state shall be awarded or be entitled to any compensation or fee
8 for the publishing of any legal notice unless, for at least 2 of the 5 years immediately
9 before the date of the notice publication, the newspaper has been published regularly
10 and continuously in the city, village or town where published, and has had a bona fide
11 paid circulation:

12 **SECTION 3.** 985.03 (1) (am) of the statutes is created to read:

13 985.03 (1) (am) A publisher of a newspaper in this state may be awarded
14 compensation or a fee for the publishing of any legal notice if all of the following
15 criteria are met:

16 1. The newspaper is free.

17 2. The publisher of the newspaper leaves at distribution points within the
18 county in which the publisher is headquartered or in which the newspaper is
19 published enough copies of the newspaper for 10% of the residents of that county.

20 3. The newspaper has been published continuously for at least one year before
21 the date of the notice publication.

22 (END)