



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-5631/1
MLJ:kjf

2019 SENATE BILL 800

February 11, 2020 - Introduced by LAW REVISION COMMITTEE. Referred to
Committee on Senate Organization.

1 **AN ACT to amend** 753.26 of the statutes; **relating to:** records retained by circuit
2 courts (suggested as remedial legislation by the Office of the Director of State
3 Courts).

Analysis by the Legislative Reference Bureau

Under current law, with the exception of certain circuit court branches of the Rock County circuit court, circuit court records are required to be kept at the courthouse offices located at the county seat. At one time there were circuit court branches located in Beloit, which is not the county seat for Rock County. There are no longer any circuit court branches located in Beloit.

This bill eliminates the exception for Rock County to reflect the fact that all branches of the Rock County circuit court are now located in Janesville, which is the county seat for Rock County.

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 Office of the Director of State Courts 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

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bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 753.26 of the statutes is amended to read:

2 **753.26 Office and records to be kept at county seat.** ~~Except in branches~~
3 ~~Nos. 4, 5, and 7 of the circuit court for Rock County, every~~ Every circuit judge in this
4 state shall maintain in his or her office, at the county seat of the county in which the
5 judge holds office, all of the books, papers, and records of the court. The office and
6 the books, papers, and records of the circuit judge shall at all reasonable times be
7 open to access and inspection by any person having any business with the books,
8 papers, and records of the court, except as otherwise provided by law. ~~Originals of~~
9 ~~judgments or orders made under circuit court jurisdiction of branches Nos. 4, 5, and~~
10 ~~7 of the Rock County circuit court in Beloit, shall be kept at the county seat.~~

NOTE: SECTION 1 eliminates a current law exception allowing the records of certain branches of the Rock County Circuit Court to be held in Beloit, rather than in the county seat of Janesville. These court branches were located in Beloit prior to 1999, but all branches are now located in Janesville. The bill makes the requirement to hold court records at the county seat consistent throughout the state.

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(END)