



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 171
[2013 Assembly Bill 567]

**Remedial Legislation-
Access to Public Records**

2013 Wisconsin Act 171 is remedial legislation relating to access to public records and was suggested by the Legislative Reference Bureau (LRB). The legislation was introduced by the Joint Legislative Council's Law Revision Committee.

Act 171 makes the following changes to the open records law:

- Specifies that special purpose districts, such as school districts, technical college districts, and metropolitan sewerage districts, are covered by the law and creates a definition of "special purpose district." It appears that these entities were covered under prior law, but this language clarifies that they are covered.
- Modifies the definition of "record" to include material that is electronically generated or stored data is recorded or preserved. The Act specifies that "record" includes any medium on which electronically generated or stored data is recorded or preserved.
- Applies the law to every elective official who is a custodian of records regardless of whether the official was elected to an office or appointed to fill a vacancy in an office.
- Clarifies that, if a record contains personally identifiable information relating to more than one individual, an individual has a right to inspect or copy only the portion of the record containing personally identifiable information relating to him or herself.
- Modifies the definition of "person authorized by the individual" to clarify that it includes a person who is authorized in writing to act on behalf of another and is not

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>.

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limited to persons acting in situations involving a “right” to act on behalf of another person (e.g., a parent acting on behalf of a minor child).

- Substitutes the term “copying” for “photocopying” to allow for other forms of copying and removes references to “tapes” in order to recognize other modes of copying audio and visual material.
- Reorganizes and makes other changes to the provision relating to access to the names of final candidates for state positions or local public offices to improve clarity.
- Makes other technical changes.

For additional information, see the analysis and notes by the LRB included in the original bill.

Effective date: Act 171 took effect on March 29, 2014.

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AS:jb;ksm