



2005 SENATE BILL 126

March 18, 2005 - Introduced by Senators ROESSLER, BROWN, A. LASEE, LASSA, GROTHMAN, REYNOLDS and KANAVAS, cosponsored by Representatives GOTTLIEB, AINSWORTH, BERCEAU, BIES, GIELOW, HAHN, HINES, JESKEWITZ, KERKMAN, KESTELL, LEMAHIEU, MURSAU, NISCHKE, OTT, OWENS, PETTIS, GUNDERSON, KREIBICH, MOLEPSKE, STASKUNAS, STONE, PRIDEMORE, SEIDEL, STRACHOTA, VAN ROY, VOS and MUSSER. Referred to Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

1 **AN ACT** *to amend* 61.50 (1), 61.50 (1m) and 62.11 (4) (a); and *to create* 61.50 (3)
2 and 62.11 (4) (c) of the statutes; **relating to:** changing the requirements for the
3 publication of city and village ordinances.

Analysis by the Legislative Reference Bureau

Generally under current law, the complete text of an ordinance that is enacted by a city or village must be published in the official city newspaper or in a newspaper that is published in the village. If no newspaper exists in a village, however, the ordinance may be posted in at least three public places in the village.

Under this bill, a city or village may continue to publish the complete text of an enacted ordinance or the city or village may publish a notice of the ordinance in the official city newspaper or in a newspaper that is published in the village. The notice must contain at least all of the following information:

1. The number and title of the ordinance.
2. The enactment date of the ordinance.
3. A summary of the ordinance.
4. Information about where the full text of the ordinance may be obtained.

The bill makes no change to current law regarding the posting of ordinances in villages in which there is no newspaper.

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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:

1 **SECTION 1.** 61.50 (1) of the statutes is amended to read:

2 61.50 (1) PUBLICATION OF NOTICE OF ORDINANCES. Every contract, conveyance,
3 commission, license or other written instrument shall be executed on the part of the
4 village by the president and clerk, sealed with corporate seal, and in pursuance only
5 of authority therefor from the village board. All ordinances and bylaws shall be
6 signed by the president and countersigned by the clerk; and, if any penalty or
7 forfeiture is thereby imposed, the ordinance or bylaw shall be published either in its
8 entirety, as a class 1 notice, under ch. 985, or as a notice, as described under sub. (3),
9 and shall take effect on the day after its the publication or a later date if expressly
10 prescribed. If there is no newspaper published in the village, the village board may
11 in lieu of newspaper publication have copies of said the ordinances and bylaws posted
12 in at least 3 public places in said village, and proof thereof filed and recorded by the
13 village clerk, and the same shall take effect the day after the proof of posting has been
14 filed and recorded, or at a later date if expressly provided in the ordinance or bylaw.

15 **SECTION 2.** 61.50 (1m) of the statutes is amended to read:

16 61.50 (1m) INDETERMINATE PUBLICATION. When any village ordinance is
17 required by law to be published without express designation therein as to class of
18 notice, it the ordinance shall be published either in its entirety, as a class 1 notice
19 under ch. 985, or as a notice, as described under sub. (3).

20 **SECTION 3.** 61.50 (3) of the statutes is created to read:

