



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3209/1
JTK:cjs:jf

2011 SENATE BILL 255

October 25, 2011 – Introduced by Senator GROTHMAN. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

1 **AN ACT** *to repeal* 14.38 (10) (a) and 35.095 (3) (b); and *to amend* 13.92 (1) (b)
2 4., 35.095 (1) (b), 35.095 (2) (b), 35.095 (3) (a), 35.095 (3) (c) and 991.11 of the
3 statutes; **relating to:** the publication and effective dates of acts.

Analysis by the Legislative Reference Bureau

Currently, when a bill is enacted, either by action of the governor or by overriding the governor's veto, the bill is deposited in the office of the secretary of state, who sets a date of publication that must be within ten working days of the date of enactment. No later than the next working day after deposit of an act with the secretary of state, the secretary notifies the Legislative Reference Bureau (LRB) of the date of publication. LRB is directed by law to publish each act within ten working days of its date of enactment. The statutes require acts to be printed. Although the statutes do not specifically require electronic publication, they do not preclude it. Separately, within ten days after the date of publication of each act, the secretary of state publishes in the official state newspaper a notice identifying the act together with its date of publication and information concerning how copies may be obtained. Currently, every act that does not expressly prescribe the time when it takes effect becomes effective on the day after its date of publication as designated by the secretary of state.

This bill provides that the date of publication of each act is the day after the date of enactment. The bill directs LRB to publish each act on that date. Under the bill, each act that does not expressly prescribe the time when it takes effect becomes effective on the day after its date of publication as prescribed in the bill. The bill does

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not affect the current practices of printing copies of acts and of publishing notices that acts have been enacted and advising how copies may be obtained.

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

1 **SECTION 1.** 13.92 (1) (b) 4. of the statutes is amended to read:

2 13.92 (1) (b) 4. Publish each act on its date of publication. ~~Upon receipt of notice~~
3 ~~from the secretary of state under s. 14.38 (10) (a), the~~ as prescribed under s. 35.095
4 (1) (b). The bureau shall enter the act number, date of enactment and date of
5 publication of each act on the ~~camera-ready~~ copy and deliver it to the contract printer
6 for reproduction of printed copies. ~~The copy-publication~~ shall identify material
7 deleted from existing law by stricken type, and material inserted into existing law
8 by underscored type. In any act published “vetoed in part”, the material subject to
9 the veto shall be displayed in full but shall be identified by distinguishing marks.
10 The bureau shall make printed copies available ~~on or before the date of~~ as soon as
11 possible following publication of the act. The number of copies printed, and the
12 quality of paper used, shall be as provided in the joint rules and as further
13 determined by the joint committee on legislative organization.

14 **SECTION 2.** 14.38 (10) (a) of the statutes is repealed.

15 **SECTION 3.** 35.095 (1) (b) of the statutes is amended to read:

16 35.095 (1) (b) “Date of publication” means the ~~date designated by the secretary~~
17 ~~of state under sub. (3)~~ day after the date of enactment.

18 **SECTION 4.** 35.095 (2) (b) of the statutes is amended to read:

19 35.095 (2) (b) The person numbering an act under par. (a) shall note on it the
20 date of enactment, shall immediately provide electronic notice to the legislative

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1 reference bureau of the act number and date of enactment, and shall deposit it in the
2 secretary of state's office no later than the next working day following its enactment.

3 **SECTION 5.** 35.095 (3) (a) of the statutes is amended to read:

4 35.095 (3) (a) The legislative reference bureau shall publish every act and every
5 portion of an act which is enacted by the legislature over the governor's partial veto
6 ~~within 10 working days after its date of enactment~~ on its date of publication.

7 **SECTION 6.** 35.095 (3) (b) of the statutes is repealed.

8 **SECTION 7.** 35.095 (3) (c) of the statutes is amended to read:

9 35.095 (3) (c) Copies of each act or portion of an act enacted by the legislature
10 over the governor's partial veto shall be available electronically on or before ~~its the~~
11 date of publication of the act to subscribers under s. 35.87 ~~who pick up their~~
12 documents. At appropriate intervals, the officer designated under s. 35.87 shall
13 certify to the secretary of state that each act or portion of an act was available
14 electronically to subscribers on or before its date of publication.

15 **SECTION 8.** 991.11 of the statutes is amended to read:

16 **991.11 Effective date of acts.** Every act and every portion of an act enacted
17 by the legislature over the governor's partial veto which does not expressly prescribe
18 the time when it takes effect shall take effect on the day after its date of publication
19 as ~~designated under prescribed in~~ s. 35.095 (3) (1) (b).

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(END)