



State of Wisconsin
2011 – 2012 LEGISLATURE



LRB-3612/1
MES:med:rs

2011 BILL

1 **AN ACT** *to renumber* 59.66 (2) (title); and *to renumber and amend* 59.66 (2)
2 (a) 1., 59.66 (2) (a) 2., 59.66 (2) (am), 59.66 (2) (b) and 59.66 (2) (c) of the statutes;
3 **relating to:** authorizing cities, villages, and towns to retain certain unclaimed
4 funds in a public treasury.

Analysis by the Legislative Reference Bureau

Under current law, in every odd-numbered year, each officer of a municipality and county and each clerk of every court of record must provide a report to the county treasurer listing all persons for whom the officer or clerk holds money or security that has not been claimed for at least one year. The county treasurer must then publish a legal notice in a newspaper or other publication once a week for three consecutive weeks (class 3 notice) containing the names and last-known addresses of the owners of unclaimed money or security with a value of at least \$10. If the money or security is not claimed within six months, the county treasurer takes possession of the money or security that, was in the possession of both county and municipal officers, and the clerks of courts, and deposits it in the county's general fund. If the money is not claimed within ten years, the money or property becomes the property of the county.

Under this bill, if the money or security is not claimed within six months of the completed publication, a county treasurer takes possession of the money or security that was in the possession of the county officers and clerks of courts and deposits it in the county's general fund, and a municipal treasurer takes possession of the money or security that was in the possession of municipal officers and deposits it in the municipality's general fund. Also under the bill, if the money is not claimed

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within ten years, the money or property becomes the property of the county or 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:

1 **SECTION 1.** 59.66 (2) (title) of the statutes is renumbered 66.0610 (title).

2 **SECTION 2.** 59.66 (2) (a) 1. of the statutes is renumbered 66.0610 (1) (a) and
3 amended to read:

4 66.0610 **(1)** (a) On or before January 10 of every odd-numbered year, each
5 officer of a municipality and county, and each clerk of every court of record, shall file
6 with the county treasurer of that person's county a written report under oath giving
7 the names and the last-known addresses of all persons for whom any such officer or
8 clerk holds money or security, and which has not been claimed for at least one year,
9 and showing the amount of the money or the nature of the security in detail. A
10 duplicate report shall also be mailed to the department of financial institutions.
11 Upon receiving the reports the county treasurer shall ~~cause to be published~~ publish
12 a class 3 notice, under ch. 985, on or before February 1 of the same year, which
13 contains the names and last-known addresses of the owners of the unclaimed money
14 or security that has a value of at least \$10, and shall state that unless the owners call
15 for and prove their ownership of the money or security, within 6 months from the time
16 of the completed publication, the county treasurer will take possession or control of
17 the money or security held by the county treasurer, county officer, or clerk of every
18 court of record, and the municipal treasurer will take possession or control of the
19 money or security held by the municipal treasurer or a municipal officer. At the end
20 of the 6 months from the time of the completed publication, the county treasurer shall

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1 also take possession or control of all money or security of persons for whom ~~an a~~
2 county officer of a municipality and county, and each clerk of every court of record,
3 holds money or security, and the municipal treasurer shall also take possession or
4 control of all money or security of persons for whom a municipal officer holds money
5 or security, and which has not been claimed for at least one year, if the money or
6 security has a value of less than \$10.

7 **SECTION 3.** 59.66 (2) (a) 2. of the statutes is renumbered 66.0610 (1) (b) and
8 amended to read:

9 66.0610 (1) (b) In counties with a population of 500,000 or more, the county
10 treasurer shall distribute to as many community-based newspapers as possible, that
11 are published in the county, a copy of the notice that is described in ~~subd. 1. par. (a).~~
12 The county treasurer shall distribute these copies of notices at the same time that
13 he or she causes the notices to be published.

14 **SECTION 4.** 59.66 (2) (am) of the statutes is renumbered 66.0610 (2) and
15 amended to read:

16 66.0610 (2) Any money or security of which ~~the~~ a county or municipal treasurer
17 has taken possession or control under ~~par. sub. (1) (a) 1.~~ and has had in his or her
18 possession or control for more than one year shall, to the extent possible, be deposited
19 in the county's or municipality's general revenue fund. Money or security that is
20 deposited under this ~~paragraph~~ subsection may remain in the county's or
21 municipality's general revenue fund or may be used by the county or municipality
22 until the money or security is paid or delivered to its owner, or becomes the property
23 of the county or municipality, under ~~par. (b)~~ sub. (3).

24 **SECTION 5.** 59.66 (2) (b) of the statutes is renumbered 66.0610 (3) and amended
25 to read:

