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## Statutes

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### What are the Wisconsin Statutes?

The Wisconsin Statutes are a compilation of the general laws of the state of Wisconsin currently in effect that have been given statute section numbers by legislation or supreme court order. The statutes on this web site are regularly updated to include legislation adopted during each legislative session. The Wisconsin Statutes are printed every two years.

### How can I find a statute?

You can search the entire Statutes from anywhere in any statutes chapter or from the statutes table of contents by typing a word or phrase in the box to the left of the *Search* button, then clicking *Search*. You can also go directly to a specific statute or part of a statute by typing the statute number in the search box to the left of the search button, then clicking *Search*. Any statutory unit can be located by typing the correct citation as follows. Parentheses and periods are not required. If parentheses are included, spaces are not required. If the citation is placed in quotation marks, the desired statute should always be the first "hit" in the returned list. If quotation marks are not used, the exact cite may not be the first in the list in every case, but will be near the top. For example, a search for 16.61 2 b 2 returns with s. 16.61 (2) (b) (intro.) first and s. 16.61 (2) (b) 2. second.

(Further explanation of the statutory numbering system is below.)

- Chapter: ch. 16 or ch.16 or ch 16 or ch16 or chapter 16 or chapter16
- Section: 16.61
- Subsection: 16.61(2) or 16.61(2) or 16.61 2
- Paragraph: 16.61(2)(b) or 16.61 (2) (b) or 16.61 2 b
- Subdivision: 16.61 (2) (b) 2. or 16.61(2)(b)2. or 16.61 2 b 2
- Subdivision paragraph: 16.61(2)(b)2.b. or 16.61 (2) (b) 2. b. or 16.61 2 b 2 b

You can also locate statutes by searching the Statutes Index or a Subject Heading

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within the Index. To search the Index in its entirety for a word or phrase, type the word or phrase in the box to the left of the "Search" button, then click "Search." Material in the Index is organized under Subject Headings. To go to a Subject Heading, type the Subject Heading name in the box to the left of the "Search" button, then click "Search." For a list of the Subject Headings, see the Table of Subject Headings. The Subject Headings with the Index can be accessed by linking directly from the Table of Subject Headings.

Statutes can also be located by browsing or searching the Statutes Table of Contents and the individual statute chapter tables of contents. Statute chapters are listed numerically, followed by their titles, which are a general description of the chapter's subject matter. Each statute chapter begins with a numerical table of contents listing the descriptive titles for each statute section in the chapter.

## About the Statutes and Annotations On this Site

The *Wisconsin Statutes and Annotations* on this web site are produced by the Legislative Reference Bureau under authority of ss. 13.92 (2) (k) and 16.971 (6) and are derived from the computer files used by the Legislative Reference Bureau to produce the official printed Wisconsin Statutes and Annotations. The statutes on this web site are regularly updated and are current through the act number and date shown on the Statutes Table of Contents. The annotations on this web site are updated and current as indicated in the Coverage of Annotations table that can be linked to from the Statutes Table of Contents.

There are two different formats available for viewing, HTML and PDF. For more details, see [Differences Between HTML and PDF Viewing](#).

As is the case with all electronic versions of the statutes, the statutes on this web site cannot be certified under s. 35.18, Wis. Stats. Only the printed Wisconsin Statutes and Annotations can be certified. Certain tables and maps that are a part of the printed Wisconsin Statutes and Annotations are only included in the PDF format statutes and not included in the HTML format statutes reproduced on this website. The schedules of appropriations contained in s. 20.005, Wis. Stats., are recreated by the legislature in each biennial budget act and are updated at the end of each legislative session for publication in the printed Wisconsin Statutes and Annotations. Chapter 20, Wis. Stats., as published in the PDF Format version of the statutes on this web site contains the table as adopted in the most recent biennial budget or as updated and published in the most recent edition of the Wisconsin Statutes and Annotations and does not reflect interim amendments. The HTML format statutes do not contain the s. 20.005 schedules.

This web site also contains all of the Acts of the Wisconsin Legislature adopted

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during the current legislative session, an archive containing non-current editions of the statutes and legislative acts adopted in previous legislative sessions, along with other archived materials, and several Statutes-related documents including the Statutes Index, Table of Statute Sections Affected by Wisconsin Acts, Table of Renumbered and Repealed Statutes, and Table of Cross-References in the Statutes. See also: [About the statutes index](#), [About the sections affected tables](#), [About repealed and renumbered statutes](#), and [About cross references in the statutes](#)

This web site contains links from annotations to cited court cases. 1995 and newer Wisconsin Supreme Court and Court of Appeals opinions are linked to on the Wisconsin Court System site and all cited appellate court cases contain links to court cases through Google Scholar. **Click on the docket number following the case citation to open a link to the case in PDF format on the Wisconsin Court System website. Click on the case citations to search for that case in Google Scholar.** For more on annotations, see Annotations below.

### *The Wisconsin Statutes and Annotations Generally*

The following material is based on the Preface contained in the printed Wisconsin Statutes and Annotations.

The Wisconsin Statutes consist of the Statutes of 1898 with the additions and amendments and less the repeals made by the legislature and supreme court thereafter and annotations updated under s. 35.23. Acts of the legislature are effective on passage, approval, and publication under s. 35.095 (3), unless otherwise specified in the act. Changes to the statutes that are effective after publication are indicated by notes.

Section 35.18 directs that the Wisconsin Statutes be prepared after the end of each regular session of the legislature, and that they contain "all the general statutes in force." According to Legislative Joint Rule 53 (1), when an act or part of an act creates a statute section number, that action indicates a legislative intent to make the section a part of the Wisconsin Statutes. Conversely, when an act is not given a statute section number by the legislature, the act is usually not printed in the Statutes, even though it is a general law. For example, some general statutes relating to Milwaukee county and city are omitted from the statutes.

The omission of a general statute from the Wisconsin Statutes has no effect upon its validity. General statutes which are not printed, and special, private and local laws are found in the volumes of the Wisconsin Session Laws for the year of enactment. Acts of the legislature are effective on passage, approval and publication under s. 35.095 (3) unless otherwise specified in the act.

The printed Wisconsin Statutes and Annotations may be purchased from the Wisconsin Department of Administration, Document Sales and Distribution Section,

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4622 University Avenue Madison, WI 53705-2156. Or telephone (608) 266-3358.

WisLaw®, an electronic version of the Statutes and Annotations and other Wisconsin law on CD-ROM, may be licensed from Document Sales at the location listed above.

### *Annotations*

The annotations contained in the *Wisconsin Statutes and Annotations* are produced under authority of s. 35.23. Section histories, interpretative notes, and notes relating to court decisions, attorney general's opinions, and published articles are printed following each affected section of the statutes. The annotations on this web site are updated and current as indicated in the Coverage of Annotations table that can be linked to from the Statutes Table of Contents. Notes regarding errors and omissions may be found in Additions and Corrections to Printed Statutes published on this web site.

Prior to the publication of the 1971-72 statutes, annotations were printed in a separate book entitled Wisconsin Annotations, the last edition of which is Wisconsin Annotations 1970. Annotations created since the 1970 edition of the Wisconsin Annotations are not printed in a separate volume. Wisconsin Annotations 1970 may be purchased from the Document Sales and Distribution Section at the location noted above.

### *Wisconsin Revision System*

The Wisconsin system of statutory revision is based on the continuous revision and biennial printing of the statutes following the conclusion of each legislative session. The first four official editions of the statutes (1849, 1858, 1878, 1898) were complete (bulk) revisions. In 1911, the first of the biennial volumes was published by the Revisor of Statutes under the present statute revision system. The first electronic updates of the statutes during a legislative session were produced during the 1995 session. In 2008, the Revisor of Statutes was eliminated and responsibility for revision of statutes was transferred to the Legislative Reference Bureau.

Under the current revision system, the general acts of the legislature for any biennial legislative session, together with rules promulgated by the supreme court and included in the statutes under the authority of s. 751.12, are incorporated into the previously existing body of the statutes, and the statutes are republished in their entirety for each interim electronic update and biennial printing.

Section 13.92 (1) (bm) 1. directs the Legislative Reference Bureau "to formulate and prepare a definite plan for the order, classification, arrangement, printing, and binding of the statutes, and prepare and at each session of the legislature present bills to the law revision committee of the joint legislative council containing such

consolidation, revision, and other matter relating to the statutes as time permits." When errors or omissions are discovered in legislation or existing statutes, correction bills are prepared and submitted to the legislature.

From time to time, changes in drafting style are implemented. Beginning in the 2001-02 biennial legislative session, the serial comma began to be used in new legislation, e.g., "city, village, or town" rather than "city, village or town." As a result, statutes affected after the style change include the serial comma and unaffected statutes do not. No substantive effect is intended by the use or non-use of the serial comma.

When errors or omissions are discovered that cannot be corrected by enacting a correction bill before publication of the next edition of the Wisconsin Statutes and Annotations, the Legislative Reference Bureau may publish the correct language within square brackets, [ ], followed by an explanatory note. The bracketed language is merely an editorial comment to assist the reader; it is not the enacted law. Conversely, language that is erroneously enacted, e.g., a phrase that is mistakenly repeated, may also appear in brackets, followed by a note. When a statutory enactment contains both errors that require language to be inserted and language to be removed, both square brackets and curly brackets, { }, may be used to indicate the prospective changes to the affected statute unit.

### *The Statute Numbering System*

The principal unit of the statutes is the statute section. Related statute sections are organized into chapters numbered between 1 and 995, some of which are further subdivided into subchapters. Not all chapters are numbered consecutively. There currently are approximately 450 chapters.

Each statute section is given a mixed decimal section number consisting of a whole number that is the chapter number and a decimal number that indicates the section's location within the chapter. The decimal number consists of at least two digits and may contain as many as five digits. In a decimal system, 48.10 is the same as 48.100 and 48.100 follows 48.09, not 48.99. The decimal system allows the insertion of new sections in any location. If it is necessary to add a new section between 48.10 and 48.11, the new section can be numbered 48.105, for example.

Statute sections may be subdivided into subsections, which may be further subdivided. Subsections are indicated by numbers within parentheses: (1), (2), (3). Subsections are subdivided into paragraphs, which are indicated by letters within parentheses: (a), (b), (c). Subdivisions of paragraphs are indicated by digits without parentheses followed by a period. These subdivisions can be further divided into paragraphs indicated by letters without parentheses followed by a period. Sections 60.61 and 66.0113 illustrate the use of subdivisions and the further division of subdivisions into lettered paragraphs. If it is necessary to insert a new statute subunit

between two consecutively numbered subunits, it is done by introducing a letter suffix: (1e), (am), 1p. Note the distinction between (3) (m), which is paragraph (m) of subsection (3), and (3m), which is subsection (3m), and which may, in turn, be subdivided into lettered paragraphs including (3m) (m).

The following abbreviations are used in the *Wisconsin Statutes and Annotations* when citing the various statute units:

Chapter, chapters: ch., chs.

Subchapter, subchapters: subch., subchs.

Section, sections: s., ss.

Subsection, subsections: sub., subs.

Paragraph, paragraphs: par., pars.

Subdivision, subdivisions: subd., subds.

Paragraphs of subdivisions are cited by the subdivision number followed by the paragraph letter designation, as follows: subd. 1. a.

### *Statute Section Histories*

The legislative history of every section affected by legislative or Supreme Court action after 1970 appears in a note following the section. For example, "History: 1971 c. 46; 1983 a. 36, 386". This note shows that the sample section was affected by Chapter 46 of the Laws of 1971 and by 1983 Acts 36 and 386. Commencing with the 1983-84 legislative session, legislative enactments are entitled "acts" and are shown in the history as "a." Prior to the 1983-84 session, legislative enactments were entitled "chapters" and are shown in the history as "ch." Sections that have not been affected after the 1969 session have no history note. The history of legislation affecting statute sections before 1971 may be found in *Wisconsin Annotations 1970*.

History notes do not indicate the specific treatment of the statute section by the act noted, such as whether the section was amended or created. This can be determined by referring to the chapter or act in the *Laws of Wisconsin* or by consulting the table of sections affected in that volume.

If an act renumbers a statute, in whole or in part, to a different statute section number, the history note of the renumbered statute will specify the act section number (as distinguished from the statute section number) in which the statute was renumbered. This reference is intended to direct the reader to the place in the act where the statute was renumbered. To further assist the reader, the history note will also contain the numbers of all of the other act sections in which the renumbered statute was affected. For examples, see Finding Annotations for Renumbered Sections below.

Section 13.92 (1) (bm) 2. authorizes the Legislative Reference Bureau to renumber statute sections and to correct references to the renumbered section. The legislature

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occasionally creates two statutes with the same statute number. For example, in the 2007-08 session, the legislature created two sections numbered 84.1024. The Legislative Reference Bureau renumbered the section created by Act 161 to be 84.1018. When the Legislative Reference Bureau renumbers a provision under authority of s. 13.92 (1) (bm) 2., the renumbering takes effect immediately, but the change is submitted to the legislature for validation in the next correction bill submitted to the legislature by the Legislative Reference Bureau. A note explaining the renumbering is inserted by the Legislative Reference Bureau following the affected statute units, and the history note for the renumbered statute and sections with cross-references to the renumbered statute will initially include a reference to s. 13.92 (1) (bm) 2. When the correction bill validating the renumbering is enacted, the explanatory notes are removed and the reference to s. 13.92 (1) (bm) 2. in the history note is replaced by the act number of the correction bill.

Section 13.92 (1) (bm) 3. authorizes the Legislative Reference Bureau to substitute an actual date for a phrase such as "after the effective date of this act" and s. 35.17 authorizes the Legislative Reference Bureau to correct obvious typographical errors. These changes are not cited in the history notes.

Section 751.12 authorizes the supreme court to make rules modifying or suspending statutes relating to pleading, practice, and procedure. The legislative history for an affected section contains a reference to the rule in the following form: "Sup. Ct. Order No. 00-02, 2001 WI 39, 240 Wis. 2d vi." The order number (00-02) indicates the sequential order and year of issuance of the order. The public domain citation number (2001 WI 39) is a number assigned by the court when the order is issued by which the order can be officially cited. The final number (240 Wis. 2d vi) indicates the volume and page of the *Wisconsin Reports* in which the order is published. Histories published prior to the publication of the order in the bound *Wisconsin Reports* show the effective date and publication date of the order, which is replaced with the *Wisconsin Reports* citation when it becomes available.

## Notes

Notes prepared by the Judicial Council or the Joint Legislative Council that are published as a part of Wisconsin Acts, or comments or notes included in Supreme Court Orders that aid in the construction and interpretation of affected statutes, may be published in full in the *Wisconsin Statutes and Annotations* or referred to in notes following the affected statute section directing the user to see the original act or order. These notes follow the history note and precede other annotations.

Notes indicating indicating cross-references to sections of the Wisconsin administrative code that are authorized by or interpret the statute are included in many statute sections.

Other uses of notes are discussed throughout this article.

### *Implied Amendments and Repeals*

The legislature often passes two or more acts in the same legislative session that treat the same provision of the statutes. Section 13.92 (2) (i) provides that if 2 or more acts of a legislative session affect the same statutory unit without taking cognizance of the effect thereon of the other acts and if the chief of the legislative reference bureau finds that there is no mutual inconsistency in the changes made by each such act, the chief shall incorporate the changes made by each act into the text of the statutory unit and document the incorporation in a note to the section.

If the same provision is amended by separate acts, and the amendments are not inconsistent the Legislative Reference Bureau incorporates both acts and inserts a note in the *Wisconsin Statutes and Annotations* following the provision stating that the provision is printed as amended by both acts and as merged by the Legislative Reference Bureau under s. 13.92 (2) (i). The Legislative Reference Bureau subsequently inserts in a correction bill a provision validating the incorporation of the several acts into the affected provision and the note is removed from the *Wisconsin Statutes and Annotations* upon enactment of the correction bill.

If the same provision is amended by separate acts, and the amendments are inconsistent, the last act governs; see *Application of Bentine*, 181 Wis. 579. In that case, or if there is doubt or it would be impossible to incorporate both without rewriting the text, the Legislative Reference Bureau prints the statute as amended by the last enacted act and calls attention to the prior amendment by a note after the provision. Section 35.095 (1) (a) defines "date of enactment" as "the day on which a bill becomes an act through approval by the governor, passage over the governor's veto or failure of the governor to act on it or the day on which a portion of the bill that has been vetoed in part is enacted over the governor's partial veto."

If the first action is a repeal and the second is an amendment, the general rule is that the repeal stands and the Legislative Reference Bureau prints nothing unless the amendment can stand alone as a statement of policy. If the amending act is first, and the repeal second, the intent to repeal is usually clear and again the Legislative Reference Bureau prints nothing.

### *Finding Annotations for Renumbered Sections*

In order to find the legislative history or other annotations for a statute section that has been renumbered, it may be necessary to find the annotations under a former section number. Section 29.974 provides an example. The history note to that section includes the following notations: "1975 c. 365 s. 46; Stats. 1975 s. 29.995" and "1997 a. 248 s. 723; Stats. 1997 s. 29.974." These notations indicate that the section was renumbered to s. 29.995 by ch. 365, section 46, Laws of 1975 and to s. 29.974 by 1997 Act 248, section 723. The number for the section prior to its

renumbering by 1975 c. 365 can be found in section 46 of Chapter 365 in the 1975 Laws of Wisconsin or by finding s. 29.995 in the table of sections affected, found in the back of that volume. Both sources show that s. 29.995 was renumbered from s. 29.635. Annotations for s. 29.635 created prior to the 1970-71 legislative session are found in *Wisconsin Annotations 1970*.

A citation to a whole statute section number that does not appear in this edition of the *Wisconsin Statutes and Annotations* may appear in the table of "Decimal-numbered Sections Renumbered or Repealed" showing that the section was renumbered or repealed. A part of a statute section (subsection, paragraph, etc.) that does not appear as a part of that statute section, may also have been renumbered or repealed, which may be determined by consulting the entries for the statute section number in the table of sections affected printed in the *Laws of Wisconsin* for the legislative session during which the affected statute part was removed from the statutes.

### *Conversion Tables for Revised Statute Chapters*

Legislative drafters have at times prepared conversion tables showing the relationship of current and former section numbers. For revisions made prior to the 1971-72 legislative session, these tables can be found in *Wisconsin Annotations 1970* and for subsequent revisions, conversion tables are printed in these volumes, following the revised chapter. For example, see the conversion table following chapter 551.

### *Finding Present Numbers for Old Statute Sections*

Prior to adopting the present decimal numbering system in the early 1900s, statute sections were numbered using consecutive whole numbers. A comparative table of whole section numbers and decimal section numbers is contained in the *Wisconsin Annotations 1970*, pages 2423 to 2453. This table was continued in the Appendix contained in editions of the *Wisconsin Statutes and Annotations* published prior to the 2007-08 edition, but because the table has not been modified since 1977 it is no longer included in the *Wisconsin Statutes and Annotations*.

### *Contacting the Legislative Reference Bureau*

Contact information for reporting errors, making suggestions, and asking questions is as follows:

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