



# Informational Memorandum

from the Legislative  
Reference Bureau



Informational Memorandum 04-3

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## WISCONSIN LAWS TAKING EFFECT JANUARY 1, 2005

Laws enacted by the Wisconsin Legislature generally take effect within a week or two from the time the governor signs the new law. Unlike some states, there are relatively few laws which are specifically designated to take effect at the beginning of the calendar year (January 1) or the fiscal year (July 1).

Laws may take effect on January 1 or July 1 for practical reasons or by coincidence. For example, tax law changes are usually effective on January 1 because it is the beginning of the tax year. If the legislature decides some delay is necessary before the new law takes effect, it may set the effective date some number of months in the future. A law published in September with an effective date of the first day of the fourth month commencing after publication happens to take effect on January 1. Had the law passed a few weeks earlier, the date would have been December 1.

Section 991.11, Wisconsin Statutes, provides that every act, and every portion of an act enacted by the legislature over the governor's partial veto, which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication. The date of publication is designated by the secretary of state, and may not be more than 10 working days after the date of enactment. The date of enactment is the day that a bill passed by the legislature is either signed by the governor or the day it is considered enacted without the governor's signature if he fails to sign it in the period of six working days after having officially received the enrolled bill from the legislature.

- **Recodification of Town Highway Laws.** 2003 Wisconsin Act 214 reorganizes, modernizes, and modifies the statutes relating to town highways into a new Chapter 82 of the Wisconsin Statutes. Most changes were nonsubstantive. Among the provisions are a general increase in the minimum required width of town roads from 49.5 feet (a "three rod" road) to 66 feet. The law also specifically allows property owners to trim grass on highway rights of way near their property.
- **Placement of Developmentally Disabled Individuals.** 2003 Wisconsin Act 33 (the biennial budget) Limits the placement of individuals with developmental disabilities in intermediate care facilities for the mentally retarded (ICFs-MR) and nursing homes. The act increases access to community-based, long-term care for these individuals and provides an incentive for ICFs-MR to reduce the number of their licensed beds.

