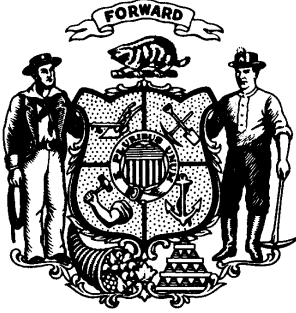


State of Wisconsin



2025 Assembly Bill 217

Date of enactment:
Date of publication*:

2025 WISCONSIN ACT

AN ACT to renumber and amend 59.52 (29) (a), 60.47 (1) (a), 60.47 (5) and 62.15 (1); to amend 60.47 (2) (a), 60.47 (2) (b), 60.47 (3), 60.47 (4), 60.47 (5) (title) and 200.47 (2) (a); to create 59.52 (29) (c) 2., 59.52 (29) (e), 60.47 (1) (ag), 60.47 (1) (as), 60.47 (2m), 60.47 (2s), 60.47 (5) (c), 62.15 (1) (b), 62.15 (1) (c) and 200.47 (2) (f) of the statutes; relating to: local government competitive bidding thresholds.

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

SECTION 1. 59.52 (29) (a) of the statutes is renumbered 59.52 (29) (a) 1. and amended to read:

59.52 (29) (a) 1. All public work, including any contract for the construction, repair, remodeling, or improvement of any public work, building, or furnishing of supplies or material of any kind where the estimated cost of such work will exceed ~~\$25,000~~ the bidding threshold under par. (e) 1., shall be let by contract to the lowest responsible bidder.

3. Any public work, the estimated cost of which does not exceed ~~\$25,000~~ the bidding threshold under par. (e) 1., shall be let as the board may direct.

4. If the estimated cost of any public work is between ~~\$5,000~~ the notice threshold under par. (e) 2. and ~~\$25,000~~ the bidding threshold under par. (e) 1., the board shall give a class 1 notice under ch. 985 before it contracts for the work or shall contract with a person qualified as a bidder under s. 66.0901 (2).

2. A contract, the estimated cost of which exceeds ~~\$25,000~~ the bidding threshold under par. (e) 1., shall be let and entered into under s. 66.0901, except that the board may by a three-fourths vote of all the members entitled to a seat provide that any class of public work or

any part thereof may be done directly by the county without submitting the same for bids.

(c) 1. This subsection does not apply to public construction if the materials for ~~such a~~ the project are donated or if the labor for ~~such a~~ the project is provided by volunteers.

(d) This subsection does not apply to highway contracts which the county highway committee or the county highway commissioner is authorized by law to let or make, which shall be let or made under s. 83.04.

SECTION 2. 59.52 (29) (c) 2. of the statutes is created to read:

59.52 (29) (c) 2. This subsection does not apply to the construction by a private person of an improvement that is donated to the county after the completion of construction.

SECTION 3. 59.52 (29) (e) of the statutes is created to read:

59.52 (29) (e) Beginning on the effective date of this paragraph [LRB inserts date], the thresholds under par. (a) are the following:

1. For general public works contract bidding, \$50,000.
2. For general public works contract notice, \$10,000.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "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."

SECTION 4. 60.47 (1) (a) of the statutes is renumbered 60.47 (1) (am) and amended to read:

60.47 (1) (am) “Public contract” means a contract for the construction, execution, repair, remodeling or improvement of any public work or building or for the furnishing of materials or supplies, ~~with an estimated cost greater than \$5,000.~~

SECTION 5. 60.47 (1) (ag) of the statutes is created to read:

60.47 (1) (ag) “Highway” means a public way or thoroughfare, including any bridges on the public way or thoroughfare.

SECTION 6. 60.47 (1) (as) of the statutes is created to read:

60.47 (1) (as) “Public highway contract” means a contract for the construction, execution, repair, remodeling, or improvement of a highway.

SECTION 7. 60.47 (2) (a) of the statutes is amended to read:

60.47 (2) (a) No town may enter into a public contract with an estimated cost of more than ~~\$5,000~~ the notice threshold under sub. (2s) (b) but not more than ~~\$25,000~~ the bidding threshold under sub. (2s) (a) unless the town board, or a town official or employee designated by the town board, gives a class 1 notice under ch. 985 before execution of that public contract.

SECTION 8. 60.47 (2) (b) of the statutes is amended to read:

60.47 (2) (b) No town may enter into a public contract with a value of more than ~~\$25,000~~ the bidding threshold under sub. (2s) (a) unless the town board, or a town official or employee designated by the town board, advertises for proposals to perform the terms of the public contract by publishing a class 2 notice under ch. 985. The town board may provide for additional means of advertising for bids.

SECTION 9. 60.47 (2m) of the statutes is created to read:

60.47 (2m) PUBLIC HIGHWAY CONTRACTS. Notwithstanding sub. (2), and except as provided in subs. (4) and (5), no town may enter into a public highway contract with an estimated cost of more than the notice threshold under sub. (2s) (d) but not more than the bidding threshold under sub. (2s) (c) unless the town board, or a town official or employee designated by the town board, gives a class 1 notice under ch. 985 before execution of that public highway contract. Notwithstanding sub. (2), and except as provided in subs. (4) and (5), no town may enter into a public highway contract with a value of more than the bidding threshold under sub. (2s) (c) unless the town board, or a town official or employee designated by the town board, advertises for proposals to perform the terms of the public highway contract by

publishing a class 2 notice under ch. 985. The town board may provide for additional means of advertising for bids.

SECTION 10. 60.47 (2s) of the statutes is created to read:

60.47 (2s) THRESHOLD AMOUNTS. Beginning on the effective date of this subsection [LRB inserts date], the thresholds under subs. (2) and (2m) are the following:

- (a) For general public contract bidding, \$50,000.
- (b) For general public contract notice, \$10,000.
- (c) For public highway contract bidding, \$25,000.
- (d) For public highway contract notice, \$5,000.

SECTION 11. 60.47 (3) of the statutes is amended to read:

60.47 (3) CONTRACTS TO LOWEST RESPONSIBLE BIDDER. The town board shall let a public contract or public highway contract, for which advertising for proposals is required under sub. (2) (b) or (2m) to the lowest responsible bidder. Section 66.0901 applies to public contracts or public highway contracts let under ~~sub. (2) (b) and (2m).~~

SECTION 12. 60.47 (4) of the statutes is amended to read:

60.47 (4) CONTRACTS WITH GOVERNMENTAL ENTITIES. This section does not apply to public contracts or public highway contracts entered into by a town with a municipality, as defined under s. 66.0301 (1) (a).

SECTION 13. 60.47 (5) (title) of the statutes is amended to read:

60.47 (5) (title) EXCEPTION FOR EMERGENCIES AND ~~DONATED MATERIALS AND LABOR~~ CERTAIN DONATIONS.

SECTION 14. 60.47 (5) of the statutes is renumbered 60.47 (5) (a) and amended to read:

60.47 (5) (a) This section is optional with respect to public contracts and public highway contracts for the repair and construction of public facilities when damage or threatened damage to the facility creates an emergency, as declared by resolution of the town board, that endangers the public health or welfare of the town. This subsection no longer applies when the town board declares that the emergency no longer exists.

(b) This section is optional with respect to a public contract or public highway contract if the materials related to the contract are donated or if the labor that is necessary to execute the public contract or public highway contract is provided by volunteers.

SECTION 15. 60.47 (5) (c) of the statutes is created to read:

60.47 (5) (c) This section does not apply to the construction by a private person of an improvement that is

donated to the town after the completion of construction.

SECTION 16. 62.15 (1) of the statutes is renumbered 62.15 (1) (a) and amended to read:

62.15 (1) (a) All public construction, the estimated cost of which exceeds ~~\$25,000~~ the bidding threshold under par. (c) 1., shall be let by contract to the lowest responsible bidder; all other public construction shall be let as the council may direct. If the estimated cost of any public construction exceeds ~~\$5,000~~ the notice threshold under par. (c) 2. but is not greater than ~~\$25,000~~ the bidding threshold under par. (c) 1., the board of public works shall give a class 1 notice, under ch. 985, of the proposed construction before the contract for the construction is executed. This ~~provision paragraph~~ does not apply to public construction if the materials for ~~such a~~ the project are donated or if the labor for ~~such a~~ the project is provided by volunteers. The council may also by a vote of three-fourths of all the members-elect provide by ordinance that any class of public construction or any part thereof may be done directly by the city without submitting the same for bids.

SECTION 17. 62.15 (1) (b) of the statutes is created to read:

62.15 (1) (b) 1. In this paragraph:

- a. "Highway" means a public way or thoroughfare, including any bridges on the public way or thoroughfare.
- b. "Public highway construction" means a public construction project involving the construction, improvement, repair, or maintenance of a highway.

2. Notwithstanding par. (a), all public highway construction, the estimated cost of which exceeds the bidding threshold under par. (c) 3., shall be let by contract to the lowest responsible bidder; all other public highway construction shall be let as the council may direct. Notwithstanding par. (a), if the estimated cost of any public highway construction exceeds the notice threshold under par. (c) 4. but is not greater than the bidding threshold under par. (c) 3., the board of public works shall give a class 1 notice, under ch. 985, of the proposed construction before the contract for the construction is executed. This subdivision does not apply to public highway construction if the materials for the

project are donated or if the labor for the project is provided by volunteers. The council may also by a vote of three-fourths of all the members-elect provide by ordinance that any class of public highway construction or any part thereof may be done directly by the city without submitting the same for bids.

SECTION 18. 62.15 (1) (c) of the statutes is created to read:

62.15 (1) (c) Beginning on the effective date of this paragraph [LRB inserts date], the thresholds under pars. (a) and (b) are the following:

1. For general public construction contract bidding, \$50,000.
2. For general public construction contract notice, \$10,000.
3. For public highway construction contract bidding, \$25,000.
4. For public highway construction contract notice, \$5,000.

SECTION 19. 200.47 (2) (a) of the statutes is amended to read:

200.47 (2) (a) Except as provided in par. (b), all work done and all purchases of supplies and materials by the commission shall be by contract awarded to the lowest responsible bidder complying with the invitation to bid, if the work or purchase involves an expenditure of ~~\$20,000~~ the bidding threshold under par. (f) or more. If the commission decides to proceed with construction of any sewer after plans and specifications for the sewer are completed and approved by the commission and by the department of natural resources under ch. 281, the commission shall advertise by a class 2 notice under ch. 985 for construction bids. All contracts and the awarding of contracts are subject to s. 66.0901.

SECTION 20. 200.47 (2) (f) of the statutes is created to read:

200.47 (2) (f) Beginning on the effective date of this paragraph [LRB inserts date], the threshold under par. (a) is \$50,000.

SECTION 21. Initial applicability.

(1) This act first applies to bids solicited on the effective date of this subsection.