State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-0977/1
KRP:emw

2025 SENATE BILL 217

April 16, 2025 - Introduced by Senators RATCLIFF, SPREITZER, DASSLER-ALFHEIM, CARPENTER, ROYS, LARSON, HESSELBEIN, DRAKE and SMITH, cosponsored by Representatives CLANCY, SNODGRASS, ARNEY, CRUZ, NEUBAUER, PHELPS, RIVERA-WAGNER, UDELL, STROUD, DESMIDT, TENORIO, HONG, FITZGERALD, JOERS, MADISON, KIRSCH, MOORE OMOKUNDE, ORTIZ-VELEZ, ANDERSON, VINING, SUBECK, EMERSON, BARE, PALMERI, SINICKI, JOHNSON, ROE, MIRESSE, SHEEHAN and MAYADEV. Referred to Committee on Government Operations, Labor and Economic Development.

AN ACT ***to renumber and amend*** 786.37 (4); ***to create*** 786.37 (4) (a) (intro.) and 786.37 (4) (a) 2. of the statutes; **relating to:** eliminating the publication requirement for a name change petition seeking to conform an individual's name with the individual's gender identity.

Analysis by the Legislative Reference Bureau

This bill provides an exception to the requirement that notices of name change petitions must be published for an individual who is seeking a name change to conform with the individual's gender identity.

Under current law, an individual who is a resident of this state generally is entitled to petition the court of the county in which the individual resides to have the individual's name changed or established if no sufficient cause is shown to the contrary. Currently, the individual must, before petitioning the court, publish a notice stating the nature of the petition and when and where the petition will be heard. The individual must publish the notice in a local newspaper once a week for three consecutive weeks. Current law provides an exception to the publication requirement for an individual who 1) requests that the petition remain confidential, 2) shows that publication of the petition could endanger the individual, and 3) shows that the individual is not seeking a name change in order to avoid a debt or conceal a criminal record. Under current law, if the court determines that the

individual is not required to publish notice, all records related to the individual's name change are generally confidential and exempt from disclosure under the state public records law.

This bill provides an additional exception to the publication requirement for an individual who shows that the individual is seeking a name change to conform with the individual's gender identity. Under the bill, an individual who requests a confidential name change on that basis also must show that the individual is not seeking a name change in order to avoid a debt or conceal a criminal record, but the individual need not show that publication of the petition could endanger the individual.

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

SECTION 1. 786.37 (4) of the statutes is renumbered 786.37 (4) (intro.) and amended to read:

786.37 **(4)** (intro.) If a petitioner requests that ~~his or her~~ the petitioner's petition to change or establish a name remain confidential, the clerk of court shall ensure that the name change petition is confidential upon the filing of the petition and sub. (1) does not apply to the petitioner. The court may require the petitioner to comply with sub. (1) if the petitioner is unable to show, by a preponderance of the evidence, ~~that publication~~ all of the following:

(a) 1. Publication of ~~his or her~~ the petition could endanger ~~him or her and that he or she~~ the petitioner.

(b) That the petitioner is not seeking a name change in order to avoid a debt or conceal a criminal record.

SECTION 2. 786.37 (4) (a) (intro.) of the statutes is created to read:

786.37 **(4)** (a) (intro.) That any of the following applies to the petitioner:

SECTION 3. 786.37 (4) (a) 2. of the statutes is created to read:

786.37 **(4)** (a) 2. The petitioner is seeking a name change to conform with the petitioner's gender identity.

SECTION 4. Initial applicability.

(1) This act first applies to a petition to change or establish a name filed on the effective date of this subsection.

SECTION 5. Effective date.

(1) This act takes effect on the first day of the 6th month beginning after publication.

(END)