



# State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

## Appendix A

### LRB BILL HISTORY RESEARCH APPENDIX

 The drafting file for 2009 LRB-4436 (For: Rep. Vos)

has been transferred to the drafting file for

**2011 LRB-1296** (For: Rep. Vos)



**RESEARCH APPENDIX -**  
**PLEASE KEEP WITH THE DRAFTING FILE**

Date Transfer Requested: 02/04/0211 (Per: PJK)

 The attached 2009 draft was incorporated into the new 2009 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2009 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

**2009 DRAFTING REQUEST**

**Bill**

Received: **02/26/2010**

Received By: **pkahler**

Wanted: **As time permits**

Companion to LRB:

For: **Robin Vos (608) 266-9171**

By/Representing: **Jennifer Toftness**

May Contact:

Drafter: **pkahler**

Subject: **Local Gov't - munis generally  
Real Estate - landlord/tenant**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Vos@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

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**Topic:**

Prohibiting ordinances that limit a landlord's ability to obtain certain information

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 02/26/2010	bkraft 03/03/2010		_____			
/1			rschluet 03/04/2010	_____	sbasford 03/04/2010		
/2	pkahler 03/04/2010	bkraft 03/04/2010	rschluet 03/04/2010	_____	lparisi 03/04/2010	cduerst 03/31/2010	

FE Sent For:

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**LRB-4436**

03/31/2010 09:28:36 AM

Page 2

<END>

2009 DRAFTING REQUEST

Bill

Received: 02/26/2010

Received By: pkahler

Wanted: As time permits

Identical to LRB:

For: Robin Vos (608) 266-9171

By/Representing: Jennifer Toftness

This file may be shown to any legislator: NO

Drafter: pkahler

May Contact:

Addl. Drafters:

Subject: Local Gov't - munis generally  
Real Estate - landlord/tenant

Extra Copies:

Submit via email: YES

Requester's email: Rep.Vos@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Prohibiting ordinances that limit a landlord's ability to obtain certain information

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 02/26/2010	bkraft 03/03/2010		_____			
/1			rschlue 03/04/2010	_____	sbasford 03/04/2010		
/2	pkahler 03/04/2010	bkraft 03/04/2010	rschlue 03/04/2010	_____	lparisi 03/04/2010		

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**LRB-4436**

03/04/2010 12:25:57 PM

Page 2

FE Sent For:

<END>

**2009 DRAFTING REQUEST**

**Bill**

Received: **02/26/2010**

Received By: **pkahler**

Wanted: **As time permits**

Identical to LRB:

For: **Robin Vos (608) 266-9171**

By/Representing: **Jennifer Toftness**

This file may be shown to any legislator: **NO**

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - munis generally  
Real Estate - landlord/tenant**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Vos@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Prohibiting ordinances that limit a landlord's ability to obtain certain information

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**Instructions:**

See attached

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 02/26/2010	bkraft 03/03/2010		_____			
/1		1/2 bjk 3/4	rschluet 03/04/2010	_____	sbasford 03/04/2010		

FE Sent For:

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3410

**2009 DRAFTING REQUEST**

**Bill**

Received: **02/26/2010**

Received By: **pkahler**

Wanted: **As time permits**

Identical to LRB:

For: **Robin Vos (608) 266-9171**

By/Representing: **Jennifer Toftness**

This file may be shown to any legislator: **NO**

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - munis generally  
Real Estate - landlord/tenant**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Vos@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Prohibiting ordinances that limit a landlord's ability to obtain certain information

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/?	pkahler	1 bjk 3/3		==			
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FE Sent For:

**<END>**

**Kahler, Pam**

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**From:** Toftness, Jennifer  
**Sent:** Thursday, February 25, 2010 4:37 PM  
**To:** Kahler, Pam  
**Subject:** request for draft

Hi Pam,

I would like to request the following be drafted:

Section 1 of 2007 LRB 2267/1 AB 967

Prohibiting ordinances that limit landlord's ability to obtain information.

Please let me know if you need any further information

Thanks,

jenny

Jenny Toftness  
Office of State Representative Robin Vos  
63rd Assembly District  
(888) 534 0063

02/25/2010



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-4436/

PJK:.....

①  
e  
bjk

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

→ J-note  
SA  
Insert (w/ 2-26)

gen cat

1 AN ACT, relating to: prohibiting ordinances that limit a landlord's ability to  
2 obtain certain information.

***Analysis by the Legislative Reference Bureau***

This bill prohibits a city, village, town, or county from enacting an ordinance that prohibits or limits a landlord from obtaining or using various types of information about a tenant, such as household income, occupation, court records, rental history, and credit information.

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

3 (2) If a city, village, town, or county has in effect on the effective date of this  
4 subsection .... [LRB inserts date], an ordinance that is inconsistent with sub. (1), the  
5 ordinance does not apply and may not be enforced.

6 (END)

→  
Insert 1-3

ASSEMBLY BILL 967

*Insert 1-3)*

tenant's tenancy in a written lease or separate writing, such as a nonstandard rental provisions form. If a landlord who installs such a locking mechanism and who gives the proper advance disclosure discovers that the tenant has set the thermostat at a higher setting by breaking the locking mechanism or some other means, the landlord may bill the tenant for any increase in heating costs and must include in the bill the calculation that the landlord used to determine the amount for which the tenant is responsible.

5. The bill requires a court to award double the amount of money damages in an eviction action if the court finds that any party in the action is entitled to money damages. Additionally, if a landlord and a tenant have entered into a written agreement that resolves a dispute between them and the written agreement requires one of the parties to pay an amount to the other party or to vacate the premises by a certain date, a circuit court commissioner or judge must award three times the amount of any damages to a party who has been injured by the failure of the other party to pay the amount required in the agreement or to vacate the premises by the specified date.

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

1 SECTION 1. 66.0104 of the statutes is created to read:

2 66.0104 Prohibiting ordinances that limit a landlord's ability to obtain

3 information. <sup>(1)</sup> No city, village, town, or county may enact an ordinance that prohibits

4 a landlord from, or that places limitations on a landlord with respect to, obtaining

5 and using or attempting to obtain and use <sup>any of the following</sup> information with respect to a tenant <sup>about</sup>

6 any of the following:

7 (a) <sup>(1)</sup> Monthly household income.

8 (b) <sup>(1)</sup> Occupation.

9 (c) <sup>(1)</sup> Rental history.

10 (d) <sup>(1)</sup> Credit ~~reports~~ <sup>information</sup>

11 (e) <sup>(1)</sup> Court records, including arrest and conviction records, to which there is  
12 public access.

13 (f) <sup>(1)</sup> Social security number or other proof of identity.

*(end of insert 1-3)*

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

Date

LRB-4436/dn

PJK.....

①  
Lbjk

This language appears to be limited to tenants. Do you want this to apply to prospective tenants also?

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.wisconsin.gov](mailto:pam.kahler@legis.wisconsin.gov)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4436/1dn  
PJK:bjk:rs

March 4, 2010

This language appears to be limited to tenants. Do you want this to apply to prospective tenants also?

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.wisconsin.gov](mailto:pam.kahler@legis.wisconsin.gov)

**Kahler, Pam**

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**From:** Toftness, Jennifer  
**Sent:** Thursday, March 04, 2010 9:45 AM  
**To:** Kahler, Pam  
**Subject:** LRB 4436

Hi Pam,

You are correct, LRB 4436/1 does apply to prospective tenants as well. Good question.

Jenny Toftness  
Office of State Representative Robin Vos  
63rd Assembly District  
(888) 534 0063

03/04/2010



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-4436/1  
PJK:bjk:ms

2

stays v mis run

2009 BILL

SA (in 3-4)

regen.

1 AN ACT to create 66.0104 of the statutes; relating to: prohibiting ordinances  
2 that limit a landlord's ability to obtain certain information.

*Analysis by the Legislative Reference Bureau*

This bill prohibits a city, village, town, or county from enacting an ordinance that prohibits or limits a landlord from obtaining or using various types of information about a tenant, such as household income, occupation, court records, rental history, and credit information.

or prospective tenant

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

3 SECTION 1. 66.0104 of the statutes is created to read:

4 **66.0104 Prohibiting ordinances that limit a landlord's ability to obtain**  
5 **information.** (1) No city, village, town, or county may enact an ordinance that  
6 prohibits a landlord from, or that places limitations on a landlord with respect to,  
7 obtaining and using or attempting to obtain and use any of the following information  
8 with respect to a tenant)

or prospective tenant

**BILL**

1           (a) Monthly household income.

2           (b) Occupation.

3           (c) Rental history.

4           (d) Credit information.

5           (e) Court records, including arrest and conviction records, to which there is  
6 public access.

7           (f) Social security number or other proof of identity.

8           (2) If a city, village, town, or county has in effect on the effective date of this  
9 subsection .... [LRB inserts date], an ordinance that is inconsistent with sub. (1), the  
10 ordinance does not apply and may not be enforced.

11

(END)

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**Duerst, Christina**

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**From:** Toftness, Jennifer

**Sent:** Wednesday, March 31, 2010 9:19 AM

**To:** LRB.Legal

**Subject:** Draft Review: LRB 09-4436/2 Topic: Prohibiting ordinances that limit a landlord's ability to obtain certain information

Please Jacket LRB 09-4436/2 for the ASSEMBLY.

3/31/2010



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-4436/2  
PJK:bjk:rs

2009 BILL

1 **AN ACT** to create 66.0104 of the statutes; relating to: prohibiting ordinances  
2 that limit a landlord's ability to obtain certain information.

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*Analysis by the Legislative Reference Bureau*

This bill prohibits a city, village, town, or county from enacting an ordinance that prohibits or limits a landlord from obtaining or using various types of information about a tenant or prospective tenant, such as household income, occupation, court records, rental history, and credit information.

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

3 SECTION 1. 66.0104 of the statutes is created to read:  
4 **66.0104 Prohibiting ordinances that limit a landlord's ability to obtain**  
5 **information.** (1) No city, village, town, or county may enact an ordinance that  
6 prohibits a landlord from, or that places limitations on a landlord with respect to,  
7 obtaining and using or attempting to obtain and use any of the following information  
8 with respect to a tenant or prospective tenant:

