

2011 DRAFTING REQUEST

Bill

Received: **09/01/2011**

Received By: **mkunkel**

Wanted: **As time permits**

Companion to LRB:

For: **Warren Petryk (608) 266-0660**

By/Representing: **Marcie Malszycki**

May Contact:

Drafter: **mkunkel**

Subject: **Trade Regulation - other**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Petryk@legis.wi.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Do-not-text list

Instructions:

Prepare companion to LRB-2295

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>
/?	mkunkel 09/01/2011	kfollett 09/01/2011		_____			
/1			jfrantze 09/01/2011	_____	mbarman 09/01/2011	sbasford 09/06/2011	

FE Sent For:

None

<END>

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/?	mkunkel		 9/11				

FE Sent For:

<END>

Kunkel, Mark

From: Kunkel, Mark
Sent: Thursday, September 01, 2011 11:13 AM
To: Malszycki, Marcie
Subject: Assembly companion to LRB-2295 (adding texting to do not call registry)

Marcie: I got your voice mail and will prepare the above bill for you, which you should receive fairly soon.

-- Mark



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-229571

MDK:jld:jf

SOON

O-NOTE

2011 BILL

stays
-2793/11

RM NOT
PUR

Regent

- 1 AN ACT *to amend* 100.52 (1) (i) of the statutes; **relating to:** regulating text
- 2 messages as telephone solicitations for purposes of the no call list.

Analysis by the Legislative Reference Bureau

Current law regulates "telephone solicitation," which is defined as the unsolicited initiation of a telephone conversation for the purpose of encouraging the recipient of the telephone call to purchase property, goods, or services. With certain exceptions, current law prohibits a telephone solicitor from making a telephone solicitation to a residential telephone customer if the customer's telephone number is included in a directory maintained by the Department of Agriculture, Trade and Consumer Protection (DATCP) that lists customers who do not wish to receive telephone solicitations. The directory is commonly referred to as the "no call list." A violation of the prohibition is subject to a forfeiture of \$100. The prohibition does not apply to a telephone solicitation that is: 1) made by or on behalf of a nonprofit organization; 2) made in response to a request for the solicitation; or 3) made to a current client of the seller that is the reason for the solicitation.

This bill defines "telephone solicitation" so that it also includes the unsolicited initiation of a text message for the purpose of encouraging the recipient of the text message to purchase property, goods, or services. As a result, subject to the exceptions described above, the bill prohibits a person from making such a text

[Handwritten scribbles]

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

LRB-2793/1dn
MDK: kjf

Date

Rep. Petryk:

This bill is an Assembly companion to LRB-2295/1.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

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

LRB-2793/1dn
MDK:kjf:jf

September 1, 2011

Rep. Petryk:

This bill is an Assembly companion to LRB-2295/1.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

Basford, Sarah

From: Malszycki, Marcie
Sent: Tuesday, September 06, 2011 8:58 AM
To: LRB.Legal
Subject: Draft Review: LRB 11-2793/1 Topic: Do-not-text list

Please Jacket LRB 11-2793/1 for the ASSEMBLY.