

SENATE BILL 107 (LRB -2089)

An Act to create 66.0104 of the statutes; relating to: prohibiting ordinances that place certain limits on landlords.

2011

05-26. S. Introduced by Senators **Lasee, Galloway** and **Schultz**; cosponsored by Representatives **Vos, Bernier, Bies, Honadel, Jacque, Knudson, LeMahieu, Mursau, Spanbauer, Strachota** and **Steineke**.

05-26. S. Read first time and referred to committee on Insurance and Housing 307

06-07. S. Senate amendment 1 offered by Senator Schultz (**LRB a1173**) 319

06-08. S. Public hearing held.

06-08. S. Executive action taken.

06-08. S. Report introduction of Senate Amendment 2 recommended by committee on Insurance and Housing, Ayes 7, Noes 0 (**LRB a1197**) 323

06-08. S. Report adoption of Senate Amendment 2 recommended by committee on Insurance and Housing, Ayes 4, Noes 3 323

06-08. S. Report passage as amended recommended by committee on Insurance and Housing, Ayes 4, Noes 3 323

06-08. S. Available for scheduling.

06-13. S. Placed on calendar 6-14-2011 pursuant to Senate Rule 18(1) 335

06-14. S. Read a second time 345

06-14. S. Senate amendment 2 **adopted**, Ayes 18, Noes 14 345

06-14. S. Senate amendment 3 offered by Senators Schultz and Lasee (**LRB a1270**) 345

06-14. S. Refused to refer to committee on Insurance and Housing, Ayes 14, Noes 18 345

06-14. S. Senate amendment 3 **adopted** 345

06-14. S. Ordered to a third reading 345

06-14. S. Rules suspended 345

06-14. S. Read a third time and **passed**, Ayes 18, Noes 14 345

06-14. S. Ordered immediately messaged 348

06-14. A. Received from Senate 395

06-14. A. Read first time and referred to committee on Housing 395

06-22. A. Public hearing held.

06-23. A. Representative Litjens added as a cosponsor 410

06-29. A. Executive action taken.

08-02. A. Report concurrence recommended by committee on Housing, Ayes 5, Noes 2 469

08-02. A. Referred to committee on Rules 469

10-20. A. Placed on calendar 10-25-2011 by committee on Rules.

10-25. A. Read a second time 613

10-25. A. Assembly amendment 1 offered by Representatives C. Taylor, Pasch, Hulsey, E. Coggs, Clark, Roys, Pocan, Mason, Turner, Hebl, Pope-Roberts, Young, Richards and Berceau (**LRB a1760**) 613

10-25. A. Assembly amendment 1 laid on table, Ayes 60, Noes 33 613

10-25. A. Ordered to a third reading 613

10-25. A. Refused to suspend rules to read a third time, Ayes 59, Noes 34 613

10-25. A. Made a special order of business at 11:05 A.M. on 11-1-2011 pursuant to Assembly Resolution 16 616

11-01. A. Read a third time and **concurred in**, Ayes 59, Noes 36, Paired 2 638

11-01. A. Ordered immediately messaged 638

11-02. S. Received from Assembly concurred in.

SP

**2011
ENROLLED BILL**

11en 5 B-107

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

11-2089/1

Amendments to above (if none, write "NONE"):

SA 2 - a 1197/1

SA 3 - a 1270/1

Corrections - show date (if none, write "NONE"):

None

Topic

Rel

11-2-11

Date

J. R. Miller

Enrolling Drafter



2011 SENATE BILL 107

May 26, 2011 – Introduced by Senators LASEE, GALLOWAY and SCHULTZ, cosponsored by Representatives VOS, BERNIER, BIES, HONADEL, JACQUE, KNUDSON, LEMAHIEU, MURSAU, SPANBAUER, STRACHOTA and STEINEKE. Referred to Committee on Insurance and Housing.

1 **AN ACT to create** 66.0104 of the statutes; **relating to:** prohibiting ordinances

2 that place certain limits on landlords.

INS. SA 3-1

Analysis by the Legislative Reference Bureau

This bill prohibits a city, village, town, or county from enacting an ordinance that does any of the following with respect to a residential landlord: 1) prohibits or limits the 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; 2) limits how far back in time a prospective tenant's credit information, conviction record, or previous housing may be considered by the landlord; or 3) prohibits the landlord from showing a rental property to a prospective tenant, or from entering into a rental agreement for a rental property with a prospective tenant, while the current tenant is living there.

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 place certain limits on a landlord.**

5 (1) In this section:

6 (a) "Premises" has the meaning given in s. 704.01 (3).

INS. SA 3-2

SENATE BILL 107

SECTION 1

1 (b) "Rental agreement" has the meaning given in s. 704.01 (3m).

2 (c) "Tenancy" has the meaning given in s. 704.01 (4).

3 (2) ^{INS. SA 3-3} No city, village, town, or county may enact an ordinance that places any of
4 the following ~~limitations on~~ a residential landlord:

5 (a) ^{INS. SA 3-4} Prohibits a landlord from, or places limitations on a landlord with respect
6 to, obtaining and using or attempting to obtain and use any of the following
7 information with respect to a tenant or prospective tenant:

8 (1) ^{INS. SA 3-5} Monthly household income.

9 (2) ^{INS. SA 3-6} Occupation.

10 (3) ^{INS. SA 3-7} Rental history.

11 (4) ^{INS. SA 3-8} Credit information.

12 (5) ^{INS. SA 3-9} Court records, including arrest and conviction records, to which there is
13 public access. ^{INSERT SA 3-10}

14 (6) ^{INS. SA 3-11} Social security number or other proof of identity.

15 (b) ^{INS. SA 3-11} Limits how far back in time a prospective tenant's credit information,
16 conviction record, or previous housing may be taken into account by a landlord.

17 (c) ^{INS. SA 3-12} Prohibits a landlord from ^{INS. SA 2-1} entering into a rental agreement for a premises
18 with a prospective tenant during the tenancy of the current tenant of the premises.

19 (d) ^{INS. SA 3-13} Prohibits a landlord from ^{INS. SA 2-2} showing a premises to a prospective tenant during
20 the tenancy of the current tenant of the premises. ^{INS. SA 3-14}

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



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa1197/1
PJK:wlj:ph

SENATE AMENDMENT 2,
TO 2011 SENATE BILL 107

June 8, 2011 - Offered by COMMITTEE ON INSURANCE AND HOUSING.

1 At the locations indicated, amend the bill as follows:

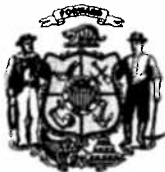
2 1. Page 2, line 17: after "from" insert "or places limitations on a landlord with
3 respect to".

4 2. Page 2, line 19: after "from" insert "or places limitations on a landlord with
5 respect to".

6 (END)

SA2-1

SA2-2



SENATE AMENDMENT 3,
TO 2011 SENATE BILL 107

June 14, 2011 - Offered by Senators SCHULTZ and LASEE.

- 1 At the locations indicated, amend the bill as follows:
- 2 1. Page 1, line 2: after "limits" insert "or requirements". SA 3-1
- 3 2. Page 1, line 4: after "limits" insert "or requirements". SA 3-2
- 4 3. Page 2, line 3: after "(2)" insert "(a)". SA 3-3
- 5 4. Page 2, line 5: delete "(a)" and substitute "1.". SA 3-4
- 6 5. Page 2, line 8: delete "1." and substitute "a.". SA 3-5
- 7 6. Page 2, line 9: delete "2." and substitute "b.". SA 3-6
- 8 7. Page 2, line 10: delete "3." and substitute "c.". SA 3-7
- 9 8. Page 2, line 11: delete "4." and substitute "d.". SA 3-8
- 10 9. Page 2, line 12: delete "5." and substitute "e.". SA 3-9
- 11 10. Page 2, line 14: delete "6." and substitute "f.". SA 3-10
- 12 11. Page 2, line 15: delete "(b)" and substitute "2.". SA 3-11

