

2011 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB466)

Received: **03/13/2012**

Received By: **pkahler**

Wanted: **Today**

Companion to LRB:

For: **Chris Larson (608) 266-7505**

By/Representing: **Ashley Siefert**

May Contact:

Drafter: **pkahler**

Subject: **Real Estate - landlord/tenant**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Larson@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Unconscionable lease provisions

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 03/13/2012	csicilia 03/13/2012		_____			
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FE Sent For:

<END>

Kahler, Pam

From: Kuczenski, Tracy
Sent: Tuesday, March 13, 2012 10:48 AM
To: Kahler, Pam
Cc: Siefert, Ashley
Subject: FW: Amendment for SB 466 to be drafted for Sen. Larson
Attachments: SB 466 Amendment.pdf

Hi Pam –

I believe this is yours. Ashley wants this for the floor today.

Tracy K. Kuczenski
Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: Siefert, Ashley
Sent: Tuesday, March 13, 2012 10:21 AM
To: Kuczenski, Tracy
Subject: Amendment for SB 466 to be drafted for Sen. Larson

Attached is the amendment Sen. Larson would like drafted for SB 466.

Thanks so much,
Ashley

Ashley Siefert
Sen. Larson's Office

State Capitol
P.O. Box 7882
Madison, WI 53707
(608) 266-7505
Email: Ashley.Siefert@legis.wisconsin.gov

Senate Amendment 5 to Senate Substitute Amendment 1 to SB 466

1. On page 2, line 21, after "provision" insert ", except that if a court finds that a provision is unconscionable, the court may render the entire rental agreement void and unenforceable."

[This is fundamental contract law. See for example, s. 100.202 of the statutes:

100.202 Contracts in violation void. All contracts and agreements made in violation of s.

100.201 [unfair trade practices in dairy industry] are void.]



~~PRELIMINARY DRAFT NOT READY FOR INTRODUCTION~~
SENATE AMENDMENT,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2011 SENATE BILL 466

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Full list Now

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 2, line 17: after “provisions.” insert “(1)”.
- 3 **2.** Page 2, line 21: after that line insert:
- 4 “(2) Notwithstanding sub. (1), if a court finds a provision of a rental agreement
- 5 to be unconscionable, the court may declare the entire agreement void and
- 6 unenforceable.”.
- 7 **3.** Page 2, line 23: after “704.02” insert “(1)”.
- 8 **4.** Page 11, line 2: after “704.02” insert “(1)”.