

SENATE BILL 185 (LRB -2295)

An Act to amend 100.52 (1) (i) of the statutes; relating to: regulating text messages as telephone solicitations for purposes of the no call list.

2011

- 09-14. S. Introduced by Senators **Wanggaard, Carpenter, Wirch, Kedzie, Moulton, Schultz, Taylor and Lassa**; cosponsored by Representatives **Petryk, Jacque, Pasch, Kestell, J. Ott, Tranel, Strachota, Sinicki, Kapenga, Ripp, C. Taylor, Spanbauer, Bernard Schaber and Endsley.**
- 09-14. S. Read first time and referred to committee on Energy, Biotechnology, and Consumer Protection 451
- 09-21. S. Public hearing held.
- 10-19. S. Executive action taken.
- 10-20. S. Report passage recommended by committee on Energy, Biotechnology, and Consumer Protection, Ayes 5, Noes 0 515
- 10-20. S. Available for scheduling.
- 10-20. S. Senate amendment 1 offered by Senator Erpenbach (**LRB a1622**) 515
- 10-24. S. Placed on calendar 10-25-2011 pursuant to Senate Rule 18(1) 526
- 10-25. S. Read a second time 534
- 10-25. S. Senate amendment 1 laid on table, Ayes 18, Noes 14 534
- 10-25. S. Ordered to a third reading 534
- 10-25. S. Rules suspended 534
- 10-25. S. Read a third time and **passed** 534
- 10-27. S. Ordered immediately messaged 548
- 10-28. A. Received from Senate 626

2012

- 02-16. A. Read first time and referred to committee on Rules 802
- 02-16. A. Placed on calendar 2-21-2012 by committee on Rules.
- 02-21. A. Rules suspended to withdraw from calendar and take up.
- 02-21. A. Read a second time.
- 02-21. A. Ordered to a third reading.
- 02-21. A. Rules suspended.
- 02-21. A. Read a third time and **concurred in**, Ayes 94, Noes 0.
- 02-21. A. Ordered immediately messaged.
- 02-22. S. Received from Assembly concurred in.

SFB

2011
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ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

11-2295/1

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

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

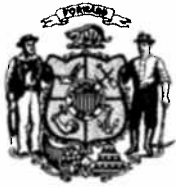
Topic Rel

2-22-12

Date

SR Miller

Enrolling Drafter



2011 SENATE BILL 185

September 14, 2011 - Introduced by Senators WANGGAARD, CARPENTER, WIRCH, KEDZIE, MOULTON, SCHULTZ, TAYLOR and LASSA, cosponsored by Representatives PETRYK, JACQUE, PASCH, KESTELL, J. OTT, TRANEL, STRACHOTA, SINICKI, KAPENGA, RIPP, C. TAYLOR, SPANBAUER, BERNARD SCHABER and ENDSLEY. Referred to Committee on Energy, Biotechnology, and Consumer Protection.

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

