

2011 DRAFTING REQUEST

Senate Amendment (SA-SB185)

Received: 10/14/2011

Received By: **mkunkel**

Wanted: **As time permits**

Companion to LRB:

For: **Jon Erpenbach (608) 266-6670**

By/Representing: **Julie**

May Contact:

Drafter: **mkunkel**

Subject: **Trade Regulation - other**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Forfeitures for violations

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>
/?							
/1	mkunkel 10/14/2011	mduchek 10/14/2011	rschluet 10/14/2011	_____	lparisi 10/14/2011	lparisi 10/14/2011	

FE Sent For:

<END>

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/?	mkunkel	11 MD 10/13/11		_____	_____	_____	_____

FE Sent For:

<END>

2009 - 2010 LEGISLATURE

SENATE AMENDMENT 1,
TO 2009 SENATE BILL 218 

August 14, 2009 - Offered by Committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection.

Pg1Ln1 At the locations indicated, amend the bill as follows:

SA1-SB218, Item 1. 

Pg1Ln2 1. Page 2, Line 4: delete that line and substitute "may be required to forfeit not
Pg1Ln3 less than \$100 nor more than \$10,000 for each". ✓

*Per Julie,
prepare amendment to
SB185 that is
based on SA1 to
2009 SB218*



*to MONDAY
NOON
10-17*

IN 10-14

**SENATE AMENDMENT ,
TO 2011 SENATE BILL 185**

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

2 **1.** Page 1, line 2: after "list" insert "and providing a penalty".

3 **2.** Page 2, line 4: after that line insert:

4 "SECTION 2m. 100.52 (10) (a) of the statutes is renumbered 100.52 (10) and
5 amended to read: ^{cs} PENALTIES.

6 (6) 100.52 (10) ~~Except as provided in par. (b),~~ [↓] A person who violates this section
7 may be required to forfeit not less than \$100 nor more than \$10,000 for each
8 violation.

History: 2001 a. 16 ss. 2435 to 2446f, 2819b, 2821b; 2007 a. 226.

9 **SECTION 3m.** 100.52 (10) (b) of the statutes is repealed."

10 (END)



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 messages as telephone solicitations for purposes of the no call list.

2

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

