

2013 DRAFTING REQUEST

Bill

Received: 2/21/2014 Received By: mkunkel
Wanted: As time permits Same as LRB: -3932
For: Legislative Council - LRC By/Representing: Anne Sappenfield
May Contact: Drafter: mkunkel
Subject: Trade Regulation - other Addl. Drafters:
Extra Copies: MPG

Submit via email: YES
Requester's email: Anne.Sappenfield@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Cancellation of roofing repair contracts

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 2/21/2014	evinz 2/24/2014	jfrantze 2/24/2014	_____	mbarman 2/24/2014	rose 2/24/2014	

FE Sent For:

↳ Not Needed

<END>

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/1	mkunkel	1, ppv 2/24/14		 2/24			

FE Sent For:

<END>

Kunkel, Mark

From: Sappenfield, Anne
Sent: Friday, February 21, 2014 3:37 PM
To: Kunkel, Mark
Subject: FW: Draft review: LRB -3932/P1 Topic: Cancellation of roofing repair contracts
Attachments: 13-3932/P1.pdf; DraftersNote1.pdf

Hi Mark,

I am ready to jacket this bill. Could you send me a /1? Also, I will need a companion bill.

Thank you,
Anne

From: LRB.Legal
Sent: Thursday, January 09, 2014 3:35 PM
To: Sappenfield, Anne
Subject: Draft review: LRB -3932/P1 Topic: Cancellation of roofing repair contracts

Following is the PDF version of draft LRB -3932/P1 and drafter's note.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3982/P1

MDK:eev:rs

O-NOTE

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

COON
IN 2-21
No changes

PB
- 438211

1 AN ACT *to amend* 100.65 (3) (b) of the statutes; **relating to:** form required for
2 certain residential repair or construction contracts (suggested as remedial
3 legislation by the Legislative Reference Bureau).

Analysis by the Legislative Reference Bureau

Current law allows consumers to cancel certain contracts for repairs or construction of one-family or two-family dwellings under specified circumstances. If work under the contract is to be paid under a property insurance policy and the insurer wholly or partially denies the consumer's claim, current law allows the consumer to cancel the contract if he or she provides a cancellation notice to the contractor before a specified deadline. Subject to an exception that applies if the contractor has performed emergency services, current law requires the contractor to return to the consumer any payments and other items within 10 days after receiving the cancellation notice. However, current law also requires the contractor to provide the consumer with a form before entering into the contract, and that form includes a statement that the contractor must return payments within 10 business days, rather than 10 days, after receiving a cancellation notice. This bill revises the form so that it refers to 10 days instead of 10 business days.

For further information, see the NOTE provided by the Law Revision Committee of the Joint Legislative Council.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Legislative Reference Bureau and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

1 **SECTION 1.** 100.65 (3) (b) of the statutes, as created by 2013 Wisconsin Act 24,
2 is amended to read:

3 100.65 (3) (b) Furnish the consumer a completed form in duplicate that is
4 attached to the contract, is easily detachable, and contains, in boldface type of a
5 minimum size of 10 point, the following statement:

6 **NOTICE OF CANCELLATION**

7 If you are notified by your insurer that the claim under the property insurance
8 policy has been denied in whole or in part, you may cancel the contract by personal
9 delivery or by mailing by 1st class mail a signed and dated copy of this cancellation
10 notice or other written notice to (name of contractor) at (contractor's business
11 address) at any time before midnight on the third business day after you have
12 received the notice from your insurer. If you cancel the contract, any payments made
13 by you under the contract, except for certain emergency work already performed by
14 the contractor, will be returned to you within 10 business days following receipt by
15 the contractor of your cancellation notice.

16 **I CANCEL THIS CONTRACT**

17 Date

18 Customer's signature

NOTE: Corrects the form so that it is consistent with s. 100.65 (6), which requires
the return to be made within 10 days.

19 **(END)**

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4322/1dn

MDK:l:....

eev

date

Anne Sappenfield:

This bill is a companion to LRB-3932/1.

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-4322/1dn
MDK:eev:jf

February 24, 2014

Anne Sappenfield:

This bill is a companion to LRB-3932/1.

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

Rose, Stefanie

From: Sappenfield, Anne
Sent: Monday, February 24, 2014 11:06 AM
To: LRB.Legal
Subject: Draft Review: LRB -4322/1 Topic: Cancellation of roofing repair contracts

Please Jacket LRB -4322/1 for the ASSEMBLY.