



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-3669/en
CMH:cjs

2015 SENATE BILL 485

1 **AN ACT to amend** 100.264 (2) (intro.) and 100.264 (3) of the statutes; **relating**
2 **to:** supplemental forfeitures for trade and consumer protection violations
3 perpetrated against the elderly and disabled and providing a penalty.

Analysis by the Legislative Reference Bureau

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

4 **SECTION 1.** 100.264 (2) (intro.) of the statutes is amended to read:
5 100.264 (2) SUPPLEMENTAL FORFEITURE. (intro.) If a fine or a forfeiture is
6 imposed on a person for a violation under ch. 136 or 707 or s. 100.16, 100.17, 100.171,
7 100.174, 100.18, 100.182, 100.183, 100.195, 100.20, 100.203, 100.205, 100.207,
8 100.209, 100.21, 100.30 (3), 100.313, 100.315, 100.35, 100.44 ~~or~~, 100.46, 100.52,
9 100.525, 100.55, 100.57, 100.65, 134.71, 134.72, 134.73, 134.87, 344.574, 344.576 (1),
10 (2), or (3) (a) or (b), 344.577, or 344.578, or a provision of ch. 704 or 846 for which the

SENATE BILL 485**SECTION 1**

1 department has rule-making, investigation, or enforcement authority, or a rule
2 promulgated under one of those sections, chapters, or provisions, the person shall be
3 subject to a supplemental forfeiture not to exceed \$10,000 for that violation if the
4 conduct by the defendant, for which the violation was imposed, was perpetrated
5 against an elderly person or disabled person and if the court finds that any of the
6 following factors is present:

7 **SECTION 2.** 100.264 (3) of the statutes is amended to read:

8 100.264 (3) PRIORITY FOR RESTITUTION. If the court orders restitution under s.
9 100.171 (8), 100.173 (4) (a), 100.174 (7), 100.175 (7), 100.177 (15), 100.18 (11) (d),
10 100.182 (5) (a), 100.20 (6), 100.205 (7), 100.207 (6) (b) 1. or, 100.44 (5), or 134.87 (6)
11 for a pecuniary or monetary loss suffered by a person, the court shall require that the
12 restitution be paid by the defendant before the defendant pays any forfeiture
13 imposed under this section.

14 **SECTION 3. Initial applicability.**

15 (1) This act first applies to violations committed on the effective date of this
16 subsection.

17 (END)