

1985 Senate Bill 336

Date of enactment: **April 21, 1986**
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1985 Wisconsin Act 284

AN ACT to repeal 66.35; and to create 100.18 (3m) and 100.20 (1m) of the statutes, relating to licensing "closing-out sales" in cities, villages and towns.

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

SECTION 1m. 66.35 of the statutes is repealed.

SECTION 2m. 100.18 (3m) of the statutes is created to read:

100.18 (3m) It is deceptive advertising to represent the retailing of merchandise to be a selling-out or closing-out sale if the merchandise is not of a bankrupt, insolvent, assignee, liquidator, adjuster, administrator, trustee, executor, receiver, wholesaler, jobber, manufacturer, or of any business that is in liquidation, that is closing out, closing or disposing of its stock, that has lost its lease or has been or is being forced out of business or that is disposing of stock on hand because of damage by fire, water or smoke. This subsection does not apply to any "closing-out sale" of seasonable merchandise or any merchandise having a designated model year if the person conducting the sale is continuing in business.

SECTION 3. 100.20 (1m) of the statutes is created to read:

100.20 (1m) It is an unfair trade method of competition in business to represent the retailing of merchandise to be a selling-out or closing-out sale if the merchandise is not of a bankrupt, insolvent, assignee, liquidator, adjuster, administrator, trustee, executor, receiver, wholesaler, jobber, manufacturer, or of any business that is in liquidation, that is closing out, closing or disposing of its stock, that has lost its lease or has been or is being forced out of business or that is disposing of stock on hand because of damage by fire, water or smoke. This subsection does not apply to any "closing-out sale" of seasonable merchandise or any merchandise having a designated model year if the person conducting the sale is continuing in business.
