



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRBa1246/2  
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**ASSEMBLY AMENDMENT 1,  
TO 2005 ASSEMBLY BILL 594**

November 9, 2005 - Offered by Representative HUNDERTMARK.

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

2 **1.** Page 1, line 4: after "leases" insert "and providing a penalty".

3 **2.** Page 3, line 6: after "gives" insert ", by mail,".

4 **3.** Page 3, line 22: delete that line and substitute "notice, except that if the  
5 customer has a right to cure under s. 425.105, the information required under par.  
6 (a) shall be combined with the notice of right to cure under s. 425.104.".

7 **4.** Page 3, line 22: after that line insert:

8 "(c) A merchant is presumed to have given notice under par. (a) if the merchant  
9 sent the notice by certified or registered mail. A merchant who fails to give notice  
10 under par. (a) by certified or registered mail is subject to the penalties specified in  
11 s. 425.302 (1), but such failure does not constitute a failure to comply with s. 425.206  
12 (1) (d)."

1           **5.** Page 4, line 13: after that line insert:

2           “**SECTION 7m.** 425.2065 of the statutes is created to read:

3           **425.2065 Notice to law enforcement. (1)** In this section, “law enforcement  
4           agency” means the police department, combined protective services department  
5           under s. 61.66, or sheriff, that has primary responsibility for providing police  
6           protection services in the city, village, or town in which a repossession is expected to  
7           occur.

8           **(2)** A merchant who repossesses collateral or goods subject to a consumer lease  
9           under s. 425.206 (1) (d), or a person who repossess the collateral or goods on behalf  
10          of the merchant, shall notify, verbally or in writing, the law enforcement agency  
11          about the repossession. The notification shall include the names of the customer,  
12          merchant, and, if applicable, the person who repossesses the collateral or goods on  
13          behalf of the merchant. The notification shall also include a description of the  
14          collateral or goods. Notification under this subsection shall be made before, or no  
15          later than one hour after, the repossession occurs.

16          **(3)** Failure to comply with this subsection does not constitute a failure to  
17          comply with s. 425.206 (1) (d).”.

18          **6.** Page 5, line 14: after that line insert:

19          “**SECTION 8g.** 425.401 of the statutes is renumbered 425.401 (1) and amended  
20          to read:

21          425.401 (1) ~~A~~ Except as provided in sub. (2), a person who willfully and  
22          knowingly engages in any conduct or practice in violation of chs. 421 to 427 may be  
23          fined not more than \$2,000.

24          **SECTION 8r.** 425.401 (2) of the statutes is created to read:

