



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBa1704/1
KRP:emw

**SENATE AMENDMENT 1,
TO ASSEMBLY BILL 518**

January 19, 2018 - Offered by Senator LEMAHIEU.

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

2 **1.** Page 2, line 7: delete “(a) The” and substitute “(a) Except as provided in
3 s. 703.205, the”.

4 **2.** Page 2, line 11: after that line insert:

5 “**SECTION 2m.** 703.205 of the statutes is created to read:

6 **703.205 Establishing fee amounts charged by association. (1)**

7 **LIMITATIONS ON CHARGING CERTAIN FEES.** An association may charge, or increase the
8 amount of, the following fees only if the association follows the procedures under sub.

9 (2):

10 (a) A fee for furnishing the disclosure information under s. 703.33 (1), (1m), and
11 (2) that is greater than the amount allowed under s. 703.20 (2) (a).

12 (b) A fee for providing the first payoff statement within a 2-month period as
13 allowed under s. 703.335 (4) (b).

1 **(2) PROCEDURE FOR ESTABLISHING FEE AMOUNTS.** An association may establish,
2 or increase the amount of, a fee described under sub. (1) (a) or (b) by doing all of the
3 following:

4 (a) Providing written notice to unit owners as provided under s. 703.15 (4) (c)
5 at least 48 hours before any meeting at which the association will consider any of the
6 following:

7 1. Establishing the fee or increasing the amount of the fee.

8 2. Entering into or modifying a management contract that does any of the
9 following:

10 a. If the association does not currently charge the fee, allows the manager to
11 begin charging the fee.

12 b. If the association does currently charge the fee, allows the manager to
13 increase the amount of the fee.

14 (b) Adopting a written resolution, at a meeting described under par. (a), to take
15 any of the actions described under par. (a) 1. or 2.

16 (c) No later than 48 hours after adopting a resolution described under par. (b),
17 providing written notice to unit owners describing the type of fee established or
18 increased and the amount of the fee established or the amount by which the fee was
19 increased.

20 **(3) FAILURE TO PROVIDE NOTICE.** An association's failure to provide a notice
21 required under sub. (2) (a) or (c) does not affect the right of the association, directly
22 or under a management contract, to charge a fee established or increased under sub.
23 (2).”.

24 **3.** Page 3, line 14: after that line insert:

1 **“SECTION 6g.** 703.33 (1) (h) 15. of the statutes is created to read:

2 703.33 (1) (h) 15. ‘Disclosure material fee.’ Whether the association charges
3 a fee for providing the disclosure materials described in this section and, if a fee is
4 charged, the amount of the fee.

5 **SECTION 6r.** 703.33 (1) (h) 16. of the statutes is created to read:

6 703.33 (1) (h) 16. ‘Payoff statement fee.’ Whether the association charges a fee
7 for providing a payoff statement under s. 703.335 and, if a fee is charged, the amount
8 of the fee.”.

9 **4.** Page 4, line 9: delete lines 9 to 12 and substitute:

10 **“(4) FEES.** (a) Except as provided under par. (b), an association shall provide
11 one payoff statement requested under sub. (2) with respect to a unit without charge
12 during any 2-month period. The association may charge a fee not to exceed \$25 for
13 each additional payoff statement requested for the unit during that 2-month period.

14 (b) An association may charge a fee for providing the first payoff statement
15 within a 2-month period described under par. (a) if the association establishes the
16 fee as provided under s. 703.205. If the association establishes a fee under this
17 paragraph, the association may increase the amount of the fee only as provided
18 under s. 703.205.”.

19 **5.** Page 4, line 15: delete “or person that submitted the request”.

20 **6.** Page 5, line 3: delete “the effective date of this subsection” and substitute
21 “July 1, 2018”.

22 **7.** Page 5, line 5: delete “and 14.” and substitute “14., 15., and 16.”.

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(END)