



2019 SENATE BILL 927

March 26, 2020 - Introduced by Senators KOOYENGA, CARPENTER, CRAIG, STROEBEL and JACQUE, cosponsored by Representatives OTT, RAMTHUN, ALLEN, BRANDTJEN, BROOKS, DITTRICH, MURPHY, ROHRKASTE, SCHRAA, WICHGERS and GUNDRUM. Referred to Committee on Economic Development, Commerce and Trade.

1 **AN ACT relating to:** regulating the sale of certain drugs and medical supplies
2 below cost.

Analysis by the Legislative Reference Bureau

This bill exempts pharmaceutical, treatment, and other medical supplies used for treating COVID-19 from the Unfair Sales Act, also called the minimum markup law, during the public health emergency declared on March 12, 2020, by executive order 72.

Under current law, the Unfair Sales Act prohibits retailers and wholesalers from selling merchandise, including pharmaceutical, treatment, and other medical supplies, for less than the cost of the merchandise to the retailer or wholesaler.

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

3 **SECTION 1. Nonstatutory provisions.**

4 (1) SELLING PHARMACEUTICAL AND MEDICAL SUPPLIES RELATED TO COVID-19 BELOW
5 COST. Section 100.30 (3) does not apply to the sale of pharmaceutical, treatment, and
6 other medical supplies used for treating COVID-19 during the period covered by the

SENATE BILL 927

SECTION 1

1 public health emergency declared on March 12, 2020, by executive order 72,
2 including any extension under s. 323.10.

3 (END)