



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-4402/1
KP:amn

2017 SENATE BILL 451

October 12, 2017 - Introduced by Senators MARKLEIN, WANGGAARD, BEWLEY, CRAIG, FEYEN, KAPENGA, NASS, PETROWSKI and STROEBEL, cosponsored by Representatives KOOYENGA, DUCHOW, BORN, E. BROOKS, CONSIDINE, HORLACHER, KNODL, NOVAK, SANFELIPPO and SPIROS. Referred to Committee on Government Operations, Technology and Consumer Protection.

1 **AN ACT** *to create* 100.20 (2) (c) of the statutes; **relating to:** the sale or rental of
2 soda water beverage equipment.

Analysis by the Legislative Reference Bureau

This bill prohibits the Department of Agriculture, Trade and Consumer Protection from regulating the terms of sale or rental of soda water beverage equipment that is not a coin-operated vending machine. Current law authorizes DATCP to promulgate rules prohibiting methods of competition and trade practices that it determines are unfair. Using this authority, DATCP has promulgated rules regulating the terms of sale or rental of soda water beverage equipment when the equipment is sold or rented out by wholesalers. Under this bill, DATCP is prohibited from enforcing rules it has promulgated that regulate the terms of sale or rental of soda water beverage equipment that is not a coin-operated vending machine.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 100.20 (2) (c) of the statutes is created to read:
4 100.20 (2) (c) Notwithstanding par. (a), the department may not issue any order
5 or promulgate any rule that regulates the terms of sale or rental of equipment for

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SECTION 1

1 soda water beverages, as defined in s. 97.34 (1) (b), other than coin-operated vending
2 machines. Notwithstanding par. (a), the department may not enforce any order or
3 rule that regulates the terms of sale or rental of equipment for soda water beverages,
4 as defined in s. 97.34 (1) (b), other than coin-operated vending machines.

5 (END)