State of Wisconsin
2009 - 2010 LEGISLATURE

LRB–1836/1
CTS:wlj:jf

# 2009 ASSEMBLY BILL 482

October 6, 2009 – Introduced by Representatives RICHARDS, ROYS, HUBLER, MASON, YOUNG, PASCH, TURNER, GRIGSBY, SCHNEIDER, HINTZ, VUKMIR, SINICKI, POPE-ROBERTS, NEWCOMER, KRAMER, VRUWINK, CULLEN and FIELDS, cosponsored by Senators RISSER, CARPENTER, OLSEN, COWLES, ERPENBACH, LAZICH, TAYLOR, DARLING and PLALE. Referred to Committee on Health and Healthcare Reform.

AN ACT ***to create*** 100.30 (6) (a) 10. of the statutes; **relating to:** the minimum sale price of prescription drugs.

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***Analysis by the Legislative Reference Bureau***

Under current law, the Unfair Sales Act or "minimum markup" law prohibits "loss leaders," or wholesale and retail sales of merchandise at a price below the cost of the merchandise to the seller.

This bill exempts prescription drugs from the Unfair Sales Act. As a result, the bill deletes the current prohibition on below–cost sales of prescription drugs.

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

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

**SECTION 1.** 100.30 (6) (a) 10. of the statutes is created to read:

100.30 **(6)** (a) 10. Merchandise is a prescription drug, as defined in s. 450.01 (20).

**(END)**