

**CHAPTER 327, Laws of 1979**

AN ACT to amend 100.18 (9) (b) and (11) (b) 2 and 100.26 (1), (3) and (6); and to create 100.26 (4) of the statutes, relating to enforcement of fraudulent advertising and unfair trade practices statutes and regulations, and imposing a penalty.

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

SECTION 1. 100.18 (9) (b) and (11) (b) 2 of the statutes are amended to read:

100.18 (9) (b) This ~~subsection~~ section does not apply to the owner, publisher, printer, agent or employe of a newspaper or other publication, periodical or circular, or of a radio or television station, who in good faith and without knowledge of the falsity or deceptive character thereof, publishes, causes to be published or takes part in the publication of such advertisement.

(11) (b) 2. Any person suffering pecuniary loss because of a violation of this section by any other person may sue in any court of competent jurisdiction and shall recover such pecuniary loss, together with costs, including reasonable attorney fees. Any person suffering pecuniary loss because of a violation by any other person of any injunction issued under this section may sue for damages therefor in any court of competent jurisdiction and shall recover twice the amount of such pecuniary loss, together with costs, including a reasonable ~~attorney's fee~~ attorney fees.

SECTION 2. 100.26 (1), (3) and (6) of the statutes are amended to read:

100.26 (1) Any person who violates any provision of this chapter, except s. 100.18 or 100.20, for which no specific penalty is prescribed shall be fined not to exceed \$200, or imprisoned in the county jail not more than 6 months or both.

(3) Any person who violates s. 100.15, 100.19, ~~100.20~~ or 100.22, or who intentionally refuses, neglects or fails to obey any regulation or order made or issued under s. 100.19 or 100.20, shall, for each offense, be fined not less than \$25 nor more than \$5,000, or imprisoned in the county jail for not more than one year or both.

(6) The department of justice or any district attorney may commence an action in the name of the state to recover a civil forfeiture to the state of not less than \$100 nor more than \$10,000 for ~~the each~~ each violation of an injunction issued under s. 100.18 or 100.20 (6) or an order issued under s. 100.20.

SECTION 3. 100.26 (4) of the statutes is created to read:

100.26 (4) Any person who violates s. 100.18 (1) to (8) or (10) is subject to a civil forfeiture of not less than \$50 nor more than \$200 for each violation.