

State of Wisconsin



1995 Assembly Bill 386

Date of enactment: April 3, 1996
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1995 WISCONSIN ACT 179

AN ACT to renumber 100.18 (12); to amend 100.18 (11) (b) 2.; and to create 100.18 (12) (b) of the statutes; relating to: fraudulent representations in the purchase, sale, hire, use or lease of real estate, merchandise, securities, services or employment.

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

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

100.18 (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, except that no attorney fees may be recovered from a person licensed under ch. 452 while that person is engaged in real estate practice, as defined in s. 452.01 (6). 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 reasonable attorney fees, except that no attorney fees may be recovered from a person licensed under ch. 452 while that person is engaged in real estate practice, as defined in s. 452.01 (6).

SECTION 1m. 100.18 (12) of the statutes is renumbered 100.18 (12) (a).

SECTION 2. 100.18 (12) (b) of the statutes is created to read:

100.18 (12) (b) This section does not apply to a person licensed as a broker or salesperson under s. 452.09 while that person is engaged in real estate practice, as defined in s. 452.01 (6), unless that person has directly made, published, disseminated, circulated or placed before the public an assertion, representation or statement of fact with the knowledge that the assertion, representation or statement of fact is untrue, deceptive or misleading.

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].