



1995 ASSEMBLY BILL 428

June 6, 1995 - Introduced by Representatives BELL, JOHNSRUD, L. YOUNG, GRONEMUS, OLSEN, LEHMAN, R. YOUNG, BOCK, BLACK, OTT, URBAN, WIRCH, ROBSON, RILEY, BOYLE, WILDER, F. LASEE and R. POTTER, cosponsored by Senators COWLES, BURKE, DARLING, PLEWA, ROSENZWEIG and A. LASEE. Referred to Committee on Consumer Affairs.

1 **AN ACT to amend** 98.26 (1) (c); and **to create** 98.08 of the statutes; **relating to:**
2 price refunds in the sale of a commodity or thing, price misrepresentation in the
3 purchase, sale or advertising of any commodity, thing or service and providing
4 a penalty.

Analysis by the Legislative Reference Bureau

This bill requires any person who uses an electronic scanner to record the price of a commodity or thing and who sells the commodity or thing at a price higher than the posted or advertised price of that commodity or thing to refund the difference between the posted or advertised price and the sale price. In addition, the bill requires a person who sells any commodity or thing to post a conspicuous sign stating this price refund policy.

Under current law, it is unlawful to represent in any manner a false quantity in the purchase, sale or advertising of any commodity, thing or service. This bill expands this law to cover the representation in any manner of a false price.

For further information see the *state and local* 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:

5 **SECTION 1.** 98.08 of the statutes is created to read:
6 **98.08 Price refunds; price information.** (1) A person who uses an
7 electronic scanner to record the price of a commodity or thing and who sells the
8 commodity or thing at a price higher than the posted or advertised price of that

1 commodity or thing shall refund to a person who purchases the commodity or thing
2 the difference between the posted or advertised price of the commodity or thing and
3 the price charged at the time of sale.

4 (2) A person who sells a commodity or thing and who uses an electronic scanner
5 to record the price of that commodity or thing shall display, in a conspicuous manner
6 at the point of sale, a sign stating the requirements of sub. (1).

7 **SECTION 2.** 98.26 (1) (c) of the statutes is amended to read:

8 98.26 (1) (c) Represents in any manner a false quantity or price in connection
9 with the purchase or sale, or any advertising thereof, of any commodity, thing or
10 service.

11 (END)