

2001 ASSEMBLY BILL 692

December 21, 2001 – Introduced by Representatives SCHNEIDER, SYKORA, RYBA and KRAWCZYK. Referred to Committee on Housing.

1 **AN ACT** *to create* 704.28 of the statutes; **relating to:** return of security deposit
2 to tenant.

Analysis by the Legislative Reference Bureau

This bill provides that a landlord must, within 45 days after a tenant surrenders the rental premises, deliver or mail to the tenant the full amount of any security deposit paid by the tenant, less any amounts properly withheld from the security deposit by the landlord, along with a written statement that itemizes any amounts withheld. The bill requires the department of agriculture, trade and consumer protection (DATCP) to, by rule, define “security deposit” and specify when premises are surrendered and what amounts may be properly withheld from a security deposit.

Currently, administrative rules of DATCP define “security deposit,” specify when premises are surrendered and what amounts may be properly withheld from a security deposit, and require a written statement accounting for the amounts withheld. The rules also provide, however, that a security deposit must be delivered or mailed to a tenant within 21 days after the premises are surrendered. Thus, the bill increases the length of time for a landlord to return a security deposit.

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

3 **SECTION 1.** 704.28 of the statutes is created to read:

