2001 ASSEMBLY BILL 911

March 14, 2002 – Introduced by Representative Schneider, by request of Jacki Kleifgen. Referred to Committee on Criminal Justice.

- 1 AN ACT *to amend* 943.20 (1) (e) of the statutes; **relating to:** the late return of a rented personal property and providing a penalty.
 - Analysis by the Legislative Reference Bureau

Under current law, a person commits theft if the person intentionally fails to return rented personal property for which the person signed a written rental agreement within 10 days after the expiration of the rental agreement. The penalty for theft is a fine not to exceed \$10,000 or confinement in jail for not more than nine months or both if the value of the property stolen is \$2,500 or less. If the value of the property stolen is more than \$2,500, the penalty is a fine not to exceed \$10,000 or imprisonment (consisting of a period of confinement in prison followed by a period of supervised release) for not more than 15 years or both.

This bill reduces from ten to five the number of days after expiration of a rental agreement that intentional failure to return rented personal property constitutes theft.

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:

- **SECTION 1.** 943.20 (1) (e) of the statutes, as affected by 2001 Wisconsin Act 16,
- 4 is amended to read:

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943.20 (1) (e) Intentionally fails to return any personal property other than a
motor vehicle, which is in his or her possession or under his or her control by virtue
of a written lease or written rental agreement, by the date that is 5 days after the
lease or rental agreement has expired. This paragraph does not apply to a person
who returns personal property, except expires.

(f) Intentionally fails to return a motor vehicle, which is in his or her possession or under his or her control by virtue of a written lease or written rental agreement, within 10 days after on or before the date on which the lease or rental agreement expires.

SECTION 2. Initial applicability.

(1) This act first applies to rental agreements entered into on the effective date of this subsection.

13 (END)