

2001 SENATE BILL 41

February 7, 2001 – Introduced by Senators ERPENBACH, PLACHE, JAUCH, MOEN, ROESSLER, ROSENZWEIG, GROBSCHMIDT, BAUMGART, BURKE, DECKER, COWLES, HANSEN and DARLING, cosponsored by Representatives POWERS, PETROWSKI, SINICKI, RICHARDS, M. LEHMAN, ZIEGELBAUER, FREESE, SCHOOFF, MILLER, WILLIAMS, STEINBRINK, KRAWCZYK, OLSEN, URBAN, CARPENTER, OTT, BOYLE, BLACK, J. LEHMAN, STASKUNAS, BOCK, MUSSER, POCAN, ALBERS, TURNER, RYBA, CULLEN, SCHNEIDER, KREUSER, GUNDERSON, HUBER and TRAVIS. Referred to Committee on Privacy, Electronic Commerce and Financial Institutions.

1 **AN ACT** *to renumber* 134.72 (1) (a); *to amend* 767.265 (2r) and 968.01 (1); *to*
2 *repeal and recreate* 134.72 (title); and *to create* 134.72 (1) (ae), 134.72 (1)
3 (ah) and 134.72 (2) (c) of the statutes; **relating to:** use of caller identification
4 blocking services by telephone solicitors.

Analysis by the Legislative Reference Bureau

This bill prohibits an employer from allowing an employee who makes a telephone solicitation on behalf of the employer from using a blocking service that withholds the caller's name or telephone number from the person who receives the solicitation.

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

5 **SECTION 1.** 134.72 (title) of the statutes is repealed and recreated to read:
6 **134.72 (title) Telephone and facsimile solicitations.**
7 **SECTION 2.** 134.72 (1) (a) of the statutes is renumbered 134.72 (1) (as).
8 **SECTION 3.** 134.72 (1) (ae) of the statutes is created to read:

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1 134.72 (1) (ae) “Blocking service” means a service that allows a person who
2 makes a telephone call to withhold his or her telephone number or name from a
3 person who receives the telephone call and who uses a caller identification service.

4 **SECTION 4.** 134.72 (1) (ah) of the statutes is created to read:

5 134.72 (1) (ah) “Caller identification service” means a service that allows a
6 person who receives a telephone call to identify the telephone number or name of the
7 caller.

8 **SECTION 5.** 134.72 (2) (c) of the statutes is created to read:

9 134.72 (2) (c) *Blocking services.* No employer may allow an employee to use a
10 blocking service when making a telephone solicitation on behalf of the employer.

11 **SECTION 6.** 767.265 (2r) of the statutes is amended to read:

12 767.265 (2r) Upon entry of each order for child support, maintenance, family
13 support, support by a spouse or the annual receiving and disbursing fee, and upon
14 approval of each stipulation for child support, unless the court finds that income
15 withholding is likely to cause the payer irreparable harm or unless s. 767.267
16 applies, the court, family court commissioner or county child support agency under
17 s. 59.53 (5) shall provide notice of the assignment by regular mail or by facsimile
18 machine, as defined in s. 134.72 (1) (a) (as), or other electronic means to the
19 last-known address of the person from whom the payer receives or will receive
20 money. The notice shall provide that the amount withheld may not exceed the
21 maximum amount that is subject to garnishment under 15 USC 1673 (b) (2). If the
22 department or its designee, whichever is appropriate, does not receive the money
23 from the person notified, the court, family court commissioner or county child
24 support agency under s. 59.53 (5) shall provide notice of the assignment to any other
25 person from whom the payer receives or will receive money. Notice under this

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1 subsection may be a notice of the court, a copy of the executed assignment or a copy
2 of that part of the court order directing payment.

3 **SECTION 7.** 968.01 (1) of the statutes is amended to read:

4 968.01 **(1)** “Facsimile machine” has the meaning given in s. 134.72 (1) ~~(a)~~ (as).

5 **(END)**