

**ASSEMBLY AMENDMENT 1,
TO 2001 SENATE BILL 9**

June 12, 2001 – Offered by Representative CULLEN.

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 1, as follows:

3 **1.** Page 178, line 1: delete “and (4)” and substitute “, (4), and (6)”.

4 **2.** Page 178, line 20: after that line insert:

5 “(5) STATUTORY DAMAGES: NONCOMPLIANCE WITH SPECIFIED PROVISIONS. In
6 addition to any damages recoverable under sub. (2), the debtor, consumer obligor, or
7 person named as a debtor in a filed record, as applicable, may recover \$500 in each
8 case from a person that:

9 (a) Fails to comply with s. 409.208;

10 (b) Fails to comply with s. 409.209;

11 (c) Files a record that the person is not entitled to file under s. 409.509 (1);

12 (d) Fails to cause the secured party of record to file or send a termination
13 statement as required by s. 409.513 (1) or (3);

1 (e) Fails to comply with s. 409.616 (2) (a) and whose failure is part of a pattern,
2 or consistent with a practice, of noncompliance; or

3 (f) Fails to comply with s. 409.616 (2) (b).

4 **(6) STATUTORY DAMAGES: NONCOMPLIANCE WITH S. 409.210.** A debtor or consumer
5 obligor may recover damages under sub. (2) and, in addition, \$500 in each case from
6 a person that, without reasonable cause, fails to comply with a request under s.
7 409.210. A recipient of a request under s. 409.210 which never claimed an interest
8 in the collateral or obligations that are the subject of a request under that section has
9 a reasonable excuse for failure to comply with the request within the meaning of this
10 subsection.”.

11 (END)