2003 DRAFTING REQUEST

Senate Amendment (SA-SB326)

Wanted: Soon For: Dale Schultz (608) 266-0703 This file may be shown to any legislator: NO May Contact:					Received By: agary Identical to LRB: By/Representing: jonathan Drafter: agary Addl. Drafters:												
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									Requeste	er's email:	Sen.Schul	tz@legis.sta	nte.wi.us				
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<u>Vers.</u> <u>Drafted</u> <u>Reviewed</u> <u>Typed</u> <u>Proofed</u> <u>Submitted</u> <u>Jacketed</u> <u>Required</u>

FE Sent For:

<END>

2003 DRAFTING REQUEST

Senate Amendment (SA-SB326)

Received: 12/23/2003

Received By: agary

Wanted: Soon

Identical to LRB:

For: Dale Schultz (608) 266-0703

By/Representing: jonathan

This file may be shown to any legislator: NO

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May Contact:

Addl. Drafters:

Subject:

Fin. Inst. - banking inst.

Extra Copies:

Submit via email: YES

Requester's email:

Sen.Schultz@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

SA (bank name protection) to SB (bank name protection)

Instructions:

See Attached

Drafting History:

Vers.

Drafted

Reviewed

Typed

Submitted

Jacketed

Required

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rmarchan

agary

12/31/2003

FE Sent For:

<END>

Marchant, Robert

From:

Klein, Jonathan

Sent:

Tuesday, December 23, 2003 10:51 AM

To:

Marchant, Robert

Subject:

Bank Name Protection LRB-2289/2

Attached is proposed language for an amendment to the bank name protection bill (LRB-2289/2). At the request of the Community Bankers of WI, we agreed have the amendment drafted. Please get a hold of me if you have any questions.



SFXF215_1.pdf

Jonathan Klein Office of Senator Dale Schultz (800) 978-8008 (608) 266-0703



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FED ID: 39-1128206

MEMORANDUM

TO:

Daryll Lund

FROM:

Jim Sheriff

DATE:

December 19, 2003

RE:

Amendment to Proposed Bank Name Protection Legislation

You asked that we prepare amendments to expand the proposed bank name protection legislation to cover logos of financial institutions. Accordingly, we propose the following amendments to the proposed bill as drafted by the Legislative Reference Bureau (our proposed changes are underlined):

1. Section 1 of the bill creating §186.035(1) of the Wisconsin Statutes should be revised to read as follows:

186.035 Deceptive or misleading use of credit union name or logo. (1) USE OF CREDIT UNION NAME OR LOGO FOR MARKETING PURPOSES. Except as provided in sub. (3), no person may use the name, logo or symbol of a credit union, or any combination thereof, or any name, logo or symbol that is deceptively similar to the name, logo or symbol of a credit union, in any marketing material provided to or solicitation of another person in a manner such that a reasonable person may believe that the marketing material or solicitation originated from or is endorsed by the credit union or that the credit union is responsible for the marketing material or solicitation.

2. Section 2 of the bill creating §214.035(4)(a) of the Wisconsin Statutes should be revised to read as follows:

214.035(4)(a) Except as provided in par. (c), no person may use the name, <u>logo or symbol</u> of a savings bank, or any combination thereof, or any name, <u>logo or symbol</u> that is deceptively similar to the name, <u>logo or symbol</u> of a savings bank, in any marketing material provided to or solicitation of another person in a manner such that a reasonable person may believe that the marketing material or solicitation originated from or is endorsed by the savings bank or that the savings bank is responsible for the marketing material or solicitation.

- 3. Section 3 of the proposed bill creating §215.26(10)(a) of the Wisconsin Statutes should be revised to read as follows:
 - 215.26(10) Deceptive or misleading use of association name or logo. (a) Except as provided in par. (c), no person may use the name, logo or symbol of an association, or any combination thereof, or any name, logo or symbol that is deceptively similar to the name, logo or symbol of an association, in any marketing material provided to or solicitation of another person in a manner such that a reasonable person may believe that the marketing material or solicitation originated from or is endorsed by the association or that the association is responsible for the marketing material or solicitation.
- 4. Section 4 of the proposed bill creating §221.0404(1) of the Wisconsin Statutes should be revised to read as follows:
 - 221.404 Deceptive or misleading use of bank name or logo. (1) USE OF BANK NAME OR LOGO FOR MARKETING PURPOSES. Except as provided in sub. (3), no person may use the name, logo or symbol of a bank, or any combination thereof, or any name, logo or symbol that is deceptively similar to the name, logo or symbol of a bank, in any marketing material provided to or solicitation of another person in a manner such that a reasonable person may believe that the marketing material or solicitation originated from or is endorsed by the bank or that the bank is responsible for the marketing material or solicitation.

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ASSEMBLY AMENDMENT,

TO 2003 ASSEMBLY BILL 673

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At the locations indicated, amend the bill as fol

- 2 1. Page 1, line 2: after "name" insert ", logo, or symbol".
- 3 2. Page 1, line 4: after "a name" insert ", logo, or symbol".
- 4 3. Page 2, line 2: after "name" insert ", logo, or symbol".
- 5 4. Page 2, line 3: after "NAME" insert ", LOGO, OR SYMBOL".
- 5. Page 2, line 4: after "use the name" insert ", logo, or symbol, or any combination thereof,".
- 8 6. Page 2, line 4: delete "a name" and substitute "any name, logo, or symbol,
 9 or any combination thereof,".
 - 7. Page 2, line 4: after "to the name" insert ", logo, or symbol".
- 11 8. Page 2, line 17: after "name" insert ", logo, or symbol".

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-2-

1	9. Page 3, line 4: after "name" insert ", logo, or symbol, or any combination
2	thereof,".
3	${f 10.}$ Page 3, line 5: delete "a name" and substitute "any name, logo, or symbol,
4	or any combination thereof,".
5	11. Page 3, line 5: after "the name" insert ", logo, or symbol".
6	12. Page 3, line 17: after "name" insert ", logo, or symbol".
7	13. Page 3, line 23: after "NAME" insert ", LOGO, OR SYMBOL".
8	14. Page 3, line 24: after "the name" insert ", logo, or symbol, or any
9	combination thereof,".
10	${f 15.}$ Page 3, line 24: delete "a name" and substitute "any name, logo, or symbol,
11	or any combination thereof,".
12	16. Page 3, line 25: after "name" insert ", logo, or symbol".
13	17. Page 4, line 12: after "name" insert ", logo, or symbol".
14	18. Page 4, line 18: after "name" insert ", logo, or symbol".
15	19. Page 4, line 19: after "NAME" insert ", LOGO, OR SYMBOL".
16	20. Page 4, line 20: before "of a bank, or" insert ", logo, or symbol, or any
17	combination thereof,".
18	${f 21.}$ Page 4, line 20: delete "a name" and substitute "any name, logo, or symbol,
19	or any combination thereof,".
20	22. Page 4, line 20: after "the name" insert ", logo, or symbol".

23. Page 5, line 8: after "name" insert ", logo, or symbol".

(END)

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1 Note

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

ARG:jld:rs

1895

LRBa1996/1dn

Tandary & 2004

ATTN: Jonathan Klein

The drafting instruction memo includes non-underlined changes. The attached amendment includes these changes. Please advise if this is not consistent with your intent.

Aaron R. Gary Legislative Attorney Phone: (608) 261–6926

E-mail: aaron.gary@legis.state.wi.us

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRBa1895/1dn ARG:jld:rs

January 8, 2004

ATTN: Jonathan Klein

The drafting instruction memo includes non-underlined changes. The attached amendment includes these changes. Please advise if this is not consistent with your intent.

Aaron R. Gary Legislative Attorney Phone: (608) 261-6926

E-mail: aaron.gary@legis.state.wi.us