



JIM DOYLE
GOVERNOR
STATE OF WISCONSIN

April 18, 2006

TO THE HONORABLE MEMBERS OF THE ASSEMBLY:

I am vetoing Assembly Bill 871. Under current law, it is generally considered a criminal act to issue a check, while never intending to have the check paid. This bill eliminates the general exception to this sanction for post-dated checks and checks given for past consideration. However, the bill maintains an exception for a post-dated check given to a payday loan service who agrees, for a fee, to hold a check for a period of time.

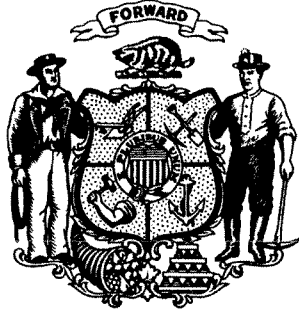
A transaction paid for with a post-dated check is fundamentally different than one paid for with a check dated that day. Post-dated check payments are more akin to loan or credit transactions. Businesses understand that distinction and accept post-dated checks knowing full well that there may be additional risks involved. We shouldn't be restricting the ability of these merchants and others to use post-dated checks as a means of doing business.

Further, I am also troubled that the bill would mean that payday lenders would be the only businesses that could accept post-dated checks, which would leave people with no other option.

Respectfully submitted,

JIM DOYLE
Governor

State of Wisconsin



2005 Assembly Bill 871

Date of enactment:
Date of publication*:

2005 WISCONSIN ACT

AN ACT to amend 943.24 (4) of the statutes; relating to: postdated checks and checks given for past consideration.

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

SECTION 1. 943.24 (4) of the statutes is amended to read:

943.24 (4) This section does not apply to a postdated check or to a check given for a past consideration, except a payroll check given by the issuer of the check to a person licensed under s. 138.09 who agrees, for a fee, to hold the check for a period of time before negotiating or presenting the check for payment.

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].