2005 ASSEMBLY BILL 496

1	AN ACT <i>to amend</i> 425.103 (2) (b) and 425.105 (2); and <i>to create</i> 425.103 (2) (bm)
2	and 425.105 (3m) of the statutes; relating to: defaults in consumer credit
3	transactions involving motor vehicle consumer leases or credit sales of motor
4	vehicles.

Analysis by the Legislative Reference Bureau

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

- SECTION 1. 425.103 (2) (b) of the statutes is amended to read:

 425.103 (2) (b) With respect to an open-end plan, failure to pay when due on

 2 occasions within any 12-month period;-or
- SECTION 2. 425.103 (2) (bm) of the statutes is created to read:

 425.103 (2) (bm) With respect to a motor vehicle consumer lease or a consumer credit sale of a motor vehicle, making a material false statement in the customer's credit application that precedes the consumer credit transaction; or

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SECTION 3

SECTION 3. 425.105 (2) of the statutes is amended to

425.105 **(2)** Except as provided in sub. subs. (3) and (3m), for 15 days after such notice is given, a customer may cure a default under a consumer credit transaction by tendering the amount of all unpaid installments due at the time of the tender, without acceleration, plus any unpaid delinquency or deferral charges, and by tendering performance necessary to cure any default other than nonpayment of amounts due. The act of curing a default restores to the customer the customer's rights under the agreement as though no default had occurred.

Section 4. 425.105 (3m) of the statutes is created to read:

425.105 **(3m)** A right to cure shall not exist with respect to a default specified under s. 425.103 (2) (bm).

12 (END)