

ASSEMBLY BILL 1065 (LRB -1673)

An Act to create 704.90 (4b) of the statutes; relating to: self-service storage late fees.

2006

- 02-27. A. Introduced by Representatives **Kreuser, Kreibich, Kerkman** and **Sheridan**; cosponsored by Senator **Wirch**.
- 02-27. A. Read first time and referred to committee on Small Business 847
- 04-04. A. Public hearing held.
- 04-18. A. Executive action taken.
- 04-21. A. Report passage recommended by committee on Small Business, Ayes 8, Noes 0 1026
- 04-21. A. Referred to committee on Rules 1026
- 05-02. A. Placed on calendar 5-4-2006 by committee on Rules.
- 05-04. A. Read a second time.
- 05-04. A. Ordered to a third reading.
- 05-04. A. Rules suspended.
- 05-04. A. Read a third time and **passed**.
- 05-04. A. Ordered immediately messaged.
- 05-04. S. Received from Assembly.
- 05-04. S. Read first time and referred to committee on Senate Organization.
- 05-04. S. Available for scheduling.
- 05-04. S. Withdrawn from committee on Senate Organization and taken up.
- 05-04. S. Read a second time.
- 05-04. S. Ordered to a third reading.
- 05-04. S. Rules suspended.
- 05-04. S. Read a third time and **concurred in**.
- 05-04. S. Ordered immediately messaged.
- 05-04. A. Received from Senate concurred in.

2005 ENROLLED BILL

05en A B-1065

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

05 1673 / 12

Amendments to above (if none, write "NONE"): NONE

Corrections - show date (if none, write "NONE"): NONE

Topic self-service storage late fees

5/5/06
Date

Peter Chen
Enrolling Drafter

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2005 ASSEMBLY BILL 1065

February 27, 2006 - Introduced by Representatives KREUSER, KREIBICH, KERKMAN and SHERIDAN, cosponsored by Senator WIRCH. Referred to Committee on Small Business.

1 **AN ACT to create** 704.90 (4b) of the statutes; **relating to:** self-service storage
2 late fees.

Analysis by the Legislative Reference Bureau

Current law regulates self-service storage facilities (facilities) and requires, among other things, that every rental agreement for a facility be in writing.

This bill allows the operator of a facility to charge a reasonable late fee for each month a lessee of the facility fails to pay rent by five weekdays after the rent is due if the amount of the late fee is contained in the rental agreement. A late fee of \$20 or 20 percent of the monthly rental amount, whichever is greater, is presumptively reasonable. An operator may charge a higher late fee but has the burden of proof that the higher late fee is reasonable.

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

3 **SECTION 1.** 704.90 (4b) of the statutes is created to read:

4 704.90 (4b) LATE FEE. (a) The operator may charge a reasonable late fee for
5 each month a lessee does not pay rent by 5 weekdays after the rent is due if the
6 amount of the late fee is contained in the rental agreement.

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1 (b) A late fee of \$20 or 20 percent of the monthly rental amount, whichever is
2 greater, is presumed reasonable. An operator may charge a higher late fee but has
3 the burden of proof that the higher late fee is reasonable.

4

(END)