

**2005 DRAFTING REQUEST**

**Assembly Amendment (AA-AB1174)**

Received: 04/25/2006

Received By: rnelson2

Wanted: Today

Identical to LRB:

For: Mark Gundrum (608) 267-5158

By/Representing:

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Military Affairs - nat'l guard

Extra Copies:

Submit via email: YES

Requester's email: Rep.Gundrum@legis.state.wi.us

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Termination of cell phone contracts

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**Instructions:**

a2983, with "for each occurrence" on p 2, l. 9 removed

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rnelson2 04/25/2006	wjackson 04/25/2006		_____			
/1			chaugen 04/25/2006	_____	bkraft 04/25/2006	bkraft 04/25/2006	

FE Sent For:

<END>

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**ASSEMBLY AMENDMENT ,  
TO 2005 ASSEMBLY BILL 1174**

- 1 At the locations indicated, amend the bill as follows:
- 2 **1.** Page 1, line 1: before “termination” insert “suspension or”.
- 3 **2.** Page 2, line 14: delete lines 14 to 17 and substitute:
- 4 “(c) A person in military service may suspend or terminate a contract to which
- 5 this subsection applies without any penalties or additional fees at any time after the
- 6 service member has been issued orders into active duty by giving written notice to
- 7 the mobile telephone service provider. The service member shall include a copy of
- 8 the orders into active duty as part of the notice. The notice may be given by 1st class
- 9 mail to the address provided in the agreement with the mobile telephone service
- 10 provider or provided in the mobile telephone service provider’s billing statement or
- 11 by delivering the notice to the mobile telephone service provider’s branch office.”.
- 12 **3.** Page 2, line 18: delete “Termination” and substitute “Suspension or
- 13 termination”.

1           **4.** Page 3, line 2: on lines 2 and 3, after “date of the” insert “suspension or”.

2           **5.** Page 3, line 5: after “contract” insert “suspension or”.

3           **6.** Page 3, line 8: after that line insert:

4           “(g) If a mobile telephone service provider assesses a person in military service  
5           any penalty or fee after the person has suspended or terminated the contract under  
6           par. (c) or fails to make any refund required under par. (e), the service member shall  
7           have the right to bring an action for damages. If the service member prevails in an  
8           action brought under this paragraph, the court shall order the mobile telephone  
9           service provider to pay the service member exemplary damages of \$2,000 ~~for each~~  
10          *occurrence*”.

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(END)