

State of Wisconsin



2009 Assembly Bill 400

Date of enactment: **February 11, 2010**
Date of publication*: **February 25, 2010**

2009 WISCONSIN ACT 117

AN ACT *to amend* 704.16 (title); and *to create* 704.16 (4) of the statutes; **relating to:** requiring landlords to change locks.

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

SECTION 1. 704.16 (title) of the statutes is amended to read:

704.16 (title) Termination of tenancy for imminent threat of serious physical harm; changing locks.

SECTION 2. 704.16 (4) of the statutes is created to read:

704.16 (4) CHANGING LOCKS. (a) Subject to pars. (b) and (c), regardless of whether sub. (1) applies, at the request of a residential tenant who provides the landlord with a certified copy of a document specified in sub. (1) (b) 1. to 7., a landlord shall change the locks to the tenant's premises.

(b) A landlord shall have the locks changed, or may give the tenant permission to change the locks, within 48 hours after receiving a request and certified copy under par. (a). The tenant shall be responsible for the cost of changing the locks. If the landlord gives the tenant permission to change the locks, within a reasonable time after any lock has been changed the tenant shall provide the landlord with a key for the changed lock.

(c) 1. If the person who is the subject of the document provided to the landlord under par. (a) is also a tenant of the specific premises for which the locks are requested to be changed, the landlord is not required to change the locks under this subsection unless the document provided by the tenant requesting that the locks be changed is any of the following:

a. A document specified in sub. (1) (b) 1., 2., or 3. that directs the tenant who is the subject of the document to avoid the residence of the tenant requesting that the locks be changed.

b. A document specified in sub. (1) (b) 4. that orders the tenant who is the subject of the document not to contact the tenant requesting that the locks be changed.

2. Nothing in this subsection shall be construed to relieve a tenant who is the subject of the document provided to the landlord under par. (a) from any obligation under a rental agreement or any other liability to the landlord.

(d) A landlord is not liable for civil damages for any action taken to comply with this subsection.

SECTION 3. Initial applicability.

(1) This act first applies to requests to change locks that are received on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES 2007-08 : 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].