

2009 DRAFTING REQUEST

Bill

Received: 05/06/2009

Received By: csundber

Wanted: As time permits

Identical to LRB:

For: Kelda Helen Roys (608) 266-5340

By/Representing: Emily McWilliams

This file may be shown to any legislator: NO

Drafter: csundber

May Contact:

Addl. Drafters:

Subject: Trade Regulation - other

Extra Copies:

Submit via email: YES

Requester's email: Rep.Roys@legis.wisconsin.gov

Carbon copy (CC:) to: christopher.sundberg@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Increase penalties for violations of do not call list

Instructions:

Companion to LRB-2534/1

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>
/?	csundber 05/06/2009	kfollett 05/06/2009		_____			State
/1			jfrantze 05/06/2009	_____	sbasford 05/06/2009	lparisi 05/19/2009	

FE Sent For:

<END>

at  
intro

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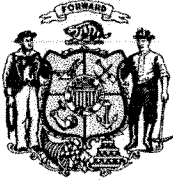
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FE Sent For:

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W. 5/6/09 (soon)

State of Wisconsin  
2009 - 2010 LEGISLATURE

2043/1  
LRB-2534/1-  
CTS:kjf:rs JMR

2009 BILL

DN

Regen

1 AN ACT *to repeal* 100.52 (10) (b); *to renumber and amend* 100.52 (10) (a); and  
2 *to create* 100.52 (11) of the statutes; **relating to:** penalties and private actions  
3 for violations of restrictions on telephone solicitations.

***Analysis by the Legislative Reference Bureau***

Current law regulates telephone solicitation, defined as the unsolicited initiation of a telephone conversation for the purpose of encouraging the recipient of the telephone call to purchase property, goods, or services. Generally, under current law, a telephone solicitor may not make a telephone solicitation to a residential customer if the customer's telephone number is included in a directory, maintained by the Department of Agriculture, Trade and Consumer Protection (DATCP), listing residential customers who do not wish to receive telephone solicitations. Violations of current provisions regulating telephone solicitation are subject to a forfeiture of \$100.

This bill increases the penalty for a violation to a forfeiture of not less than \$1,000 nor more than \$10,000. The bill also permits a person who suffers damages as a result of a violation to bring an action for injunctive relief and for actual damages or \$500 per violation, whichever is greater.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2843/1dn

CTS:..kjf

*Date*

Representative Roys:

This draft is identical to LRB-2534/1. ✓

Christopher T. Sundberg  
Legislative Attorney  
Phone: (608) 266-9739  
E-mail:  
christopher.sundberg@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2843/1dn  
CTS:kjf:jf

May 6, 2009

Representative Roys:

This draft is identical to LRB-2534/1.

Christopher T. Sundberg  
Legislative Attorney  
Phone: (608) 266-9739  
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[christopher.sundberg@legis.wisconsin.gov](mailto:christopher.sundberg@legis.wisconsin.gov)

**Barman, Mike**

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**From:** Rep.Roys  
**Sent:** Tuesday, May 19, 2009 12:56 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-2843/1 Topic: Increase penalties for violations of do not call list

Please Jacket LRB 09-2843/1 for the ASSEMBLY.