Received By: mkunkel

2009 DRAFTING REQUEST

Bill

Received: 10/03/2008

| Wanted: A | As time permi | ts | Identical to LRB: | | | | | | | | |
|---|-----------------------|-----------------------|--------------------------------|---------|--|---|----------|--|--|--|--|
| For: Roge | er Roth (608) | 266-7500 | By/Representing: Jason Culotta | | | | | | | | |
| This file n | nay be shown | to any legislator | Drafter: mkunkel | | | | | | | | |
| May Cont | act: | | Addl. Drafters: | | | | | | | | |
| Subject: | Public U | Itil misc. | | | Extra Copies: MES, EM | | | | | | |
| Submit vi | a email: YES | | | | | | | | | | |
| Requester's email: Rep.Roth@legis.wisconsin.gov | | | | | | | | | | | |
| Carbon copy (CC:) to: | | | | | | | | | | | |
| Pre Topi | c: | | | | | | | | | | |
| No specific pre topic given | | | | | | | | | | | |
| Topic: | | | | | A Company of the Comp | N. W. | | | | | |
| Municipa | l utility charge | es | | | | | | | | | |
| Instructi | ons: | | | | | | | | | | |
| Redraft 2 | 007 AB 649 | | | | | | | | | | |
| Drafting | History: | | | | | | | | | | |
| Vers. | Drafted | Reviewed | Typed | Proofed | Submitted | Jacketed | Required | | | | |
| /? | mkunkel 10/03/2008 | nnatzke 10/10/2008 | | | | | Local | | | | |
| /1 | | | rschluet 10/13/200 |)8 | lparisi 10/13/2008 | cduerst 01/27/2009 | | | | | |
| FE Sent For: Little <end></end> | | | | | | | | | | | |

2009 DRAFTING REQUEST

Bill

| Receive | ed: 10/03/2008 | | Received By: mkunkel Identical to LRB: By/Representing: Jason Culotta Drafter: mkunkel Addl. Drafters: | | | | |
|----------------------------|-----------------------|-----------------------|--|-----------|-----------------------|--------------|----------|
| Wanted | : As time perm | its | | | | | |
| For: Ro | ger Roth (608) | 266-7500 | | | | | |
| This file | e may be shown | to any legislate | | | | | |
| May Co | ontact: | | | | | | |
| Subject: Public Util misc. | | | | | Extra Copies: MES, EM | | |
| Submit | via email: YES | | | | | | |
| Request | ter's email: | Rep.Roth@ | elegis.wisc | onsin.gov | | | |
| Carbon | copy (CC:) to: | | | | | | |
| Pre To | pic: | | ************************************** | | | | |
| No spec | cific pre topic gi | ven | | | | | |
| Topic: | | | | | | | |
| Munici | pal utility charge | es | | | | | |
| Instruc | ctions: | | | | | | |
| Redraft | 2007 AB 649 | | | | | | |
| Draftin | ng History: | | | | | | |
| Vers. | <u>Drafted</u> | Reviewed | Typed | Proofed | Submitted | Jacketed | Required |
| /? | mkunkel 10/03/2008 | nnatzke 10/10/2008 | | | | | Local |
| /1 | | | rschluet 10/13/20 | 08 | lparisi 10/13/2008 | | |
| FE Sent | t For: | | | | | | |

<END>

2009 DRAFTING REQUEST

Bill

Received: 10/03/2008 Received By: mkunkel

Wanted: As time permits Identical to LRB:

For: Roger Roth (608) 266-7500 By/Representing: Jason Culotta

This file may be shown to any legislator: **NO**Drafter: **mkunkel**

May Contact: Addl. Drafters:

Subject: Public Util. - misc. Extra Copies: MES, EM

Submit via email: YES

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

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Municipal utility charges

Instructions:

Redraft 2007 AB 649

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>

/? mkunkel $\frac{10}{10}$

<END>

FE Sent For:

Kunkel, Mark

From:

Culotta, Jason

Sent:

Thursday, September 25, 2008 11:24 AM

To:

Kunkel, Mark

Subject:

drafting request from Rep. Roth

Mark,

Rep. Roth would like to re-draft his bill from last session, AB 649 (LRB-2801/1) that would change how municipal utilities bill land lords for unpaid tenants.

Please call with any questions regarding this.

Thanks,

Jason Culotta Legislative assistant Office of Representative Roger Roth (608) 266-7500

2007 - 2008 LEGISLATURE

(D-NOTE)

2007 ASSEMBLY BILL 649

LRB-2801/1 MDK:kjf:r

-0503/1

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December 28, 2007 – Introduced by Representatives Roth, Albers, Kestell, F. Lasee, Nass Nygren, Petrowski, Townsend, Vos, Vruwink and Ziegelbauer, cosponsored by Senator Roessler. Referred to Committee on Urban and Local Affairs.

AN ACT to repeat 66.0809 (5) (b) 1. and 2. and 66.0809 (5) (c) and (d); and to renumber and amend 66.0809 (5) (b) (intro.) of the statutes; relating to: prohibiting municipal electric or water utilities from collecting certain utility arrearages from owners of rental properties as property liens.

Analysis by the Legislative Reference Bureau ____ may

Under current law, a municipal utility is allowed to collect arrearages for utility service provided to lots or parcels of real estate by providing, on October 15, a written notice of payment due to the owner or occupant of the real estate. The notice must specify the amount of the arrearage and any penalty and must state the following: 1) that, if payment is not received by November 1, an additional penalty will be assessed; and 2) that, if payment is not received by November 15, the arrearage amount and any penalties will become a lien on the property that will be collected as a tax on the property.

Also under current law, if a municipal utility provides electric or water service to a rental dwelling unit, the municipal utility may use the arrearage collection procedure described above only if the municipal utility follows certain additional procedures for notifying both the owner and the tenant about any payments that are past due. In addition, the municipal utility may use the arrearage collection procedure only if the owner of the rental property provides the municipal utility with written notification of the name and address of the owner, as well as the tenant who is responsible for paying for the service. Also, if requested by the municipal utility,

ASSEMBLY BILL 649

the owner must provide the municipal utility with a copy of the rental or lease agreement in which the tenant assumes responsibility for payment of utility charges.

This bill prohibits a municipal utility that provides electric or water service to a rental dwelling unit from using the arrearage collection procedure described above, but only if the owner has provided the municipal utility with written notification of the name and address of the owner, as well as the tenant who is responsible for paying for the service. A municipal trial may also request a copy of the rental or lease agreement in which the tenant assumes responsibility for payment of utility charges. However, after the owner has provided written notice of the owner's and tenant's name and address, the municipal utility may not use the arrearage collection procedure.

For further information see the *local* 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:

SECTION 1. 66.0809 (5) (b) (intro.) of the statutes is renumbered 66.0809 (5) (b) and amended to read:

66.0809 **(5)** (b) If this subsection applies, a municipal public utility may <u>not</u> use sub. (3) to collect arrearages incurred after the owner of a rental dwelling unit has provided the utility with written notice under par. (a) only if the municipality complies with at least one of the following: $\frac{1}{2}$ and $\frac{1}{3}$.

SECTION 2. 66.0809 (5) (b) 1. and 2. of the statutes are repealed.

Section 3. 66.0809 (5) (c) and (d) of the statutes are repealed.

SECTION 4. Initial applicability.

(1) This act first applies to arrearages incurred on the effective date of this subsection.

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(END)

D-note

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

Date

LRB-0503/1dnMDK:..... nwnt . WLJ

Rep. Roth:

This bill is a redraft of 2007 AB-649.

Mark D. Kunkel Senior Legislative Attorney Phone: (608) 266-0131 E-mail: mark.kunkel@legis.wisconsin.gov

DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-0503/1dn MDK:nwn&wlj:rs

October 10, 2008

Rep. Roth:

This bill is a redraft of 2007 AB-649.

Mark D. Kunkel Senior Legislative Attorney Phone: (608) 266-0131

E-mail: mark.kunkel@legis.wisconsin.gov

Duerst, Christina

From:

Sent:

Culotta, Jason Tuesday, January 27, 2009 4:09 PM

To:

Subject:

LRB.Legal
Draft Review: LRB 09-0503/1 Topic: Municipal utility charges

Please Jacket LRB 09-0503/1 for the ASSEMBLY.