



2009 ASSEMBLY BILL 400

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

Analysis by the Legislative Reference Bureau

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

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

4 **704.16 (title) Termination of tenancy for imminent threat of serious**
5 **physical harm; changing locks.**

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

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

ASSEMBLY BILL 400**SECTION 2**

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

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

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

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

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

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

23 **SECTION 3. Initial applicability.**

