



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2009 Assembly Bill 482**

**Assembly  
Amendment 1**

*Memo published:* March 5, 2010

*Contact:* Richard Sweet, Senior Staff Attorney (266-2982)

*Current law* prohibits sales of merchandise either by a retailer or wholesaler at less than cost, as defined in the law. The law also contains a number of exceptions to that requirement.

*Assembly Bill 482* adds another exception to the prohibition on sale of merchandise below cost. The exception is for sale of prescription drugs. *Assembly Amendment 1* provides that this exception may not be construed to diminish any remedies available for violations of ch. 133, Stats., or 15 U.S.C. s. 2. Chapter 133, Stats., is the chapter of the Wisconsin statutes that relates to trusts and monopolies. 15 U.S.C. s. 2 is the federal statute that prohibits monopolizing or attempting to monopolize any part of trade or commerce among the several states or with foreign nations.

### *Legislative History*

The Assembly adopted Assembly Amendment 1, and passed the bill as amended, both on voice votes.

RNS:jal