



2011 SENATE BILL 360

January 4, 2012 – Introduced by Senators VUKMIR and CARPENTER, cosponsored by Representatives KRAMER and RICHARDS. Referred to Committee on Health.

1 **AN ACT** *to amend* 100.30 (6) (title); and *to create* 100.30 (6) (a) 10. and 100.30
2 (6) (e) of the statutes; **relating to:** the minimum sale price of prescription
3 drugs.

Analysis by the Legislative Reference Bureau

Under current law, the Unfair Sales Act or “minimum markup” law prohibits “loss leaders,” or wholesale and retail sales of merchandise at a price below the cost of the merchandise to the seller.

This bill exempts prescription drugs from the Unfair Sales Act. As a result, the bill deletes the current prohibition on below-cost sales of prescription drugs.

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:

4 **SECTION 1.** 100.30 (6) (title) of the statutes is amended to read:
5 100.30 **(6)** (title) EXCEPTIONS; CONSTRUCTION.
6 **SECTION 2.** 100.30 (6) (a) 10. of the statutes is created to read:

