



2011 SENATE BILL 107

May 26, 2011 – Introduced by Senators LASEE, GALLOWAY and SCHULTZ, cosponsored by Representatives VOS, BERNIER, BIES, HONADEL, JACQUE, KNUDSON, LEMAHIEU, MURSAU, SPANBAUER, STRACHOTA and STEINEKE. Referred to Committee on Insurance and Housing.

1 **AN ACT** *to create* 66.0104 of the statutes; **relating to:** prohibiting ordinances
2 that place certain limits on landlords.

Analysis by the Legislative Reference Bureau

This bill prohibits a city, village, town, or county from enacting an ordinance that does any of the following with respect to a residential landlord: 1) prohibits or limits the landlord from obtaining or using various types of information about a tenant or prospective tenant, such as household income, occupation, court records, rental history, and credit information; 2) limits how far back in time a prospective tenant's credit information, conviction record, or previous housing may be considered by the landlord; or 3) prohibits the landlord from showing a rental property to a prospective tenant, or from entering into a rental agreement for a rental property with a prospective tenant, while the current tenant is living there.

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

3 **SECTION 1.** 66.0104 of the statutes is created to read:
4 **66.0104 Prohibiting ordinances that place certain limits on a landlord.**
5 **(1)** In this section:
6 (a) "Premises" has the meaning given in s. 704.01 (3).

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1 (b) “Rental agreement” has the meaning given in s. 704.01 (3m).

2 (c) “Tenancy” has the meaning given in s. 704.01 (4).

3 **(2)** No city, village, town, or county may enact an ordinance that places any of
4 the following limitations on a residential landlord:

5 (a) Prohibits a landlord from, or places limitations on a landlord with respect
6 to, obtaining and using or attempting to obtain and use any of the following
7 information with respect to a tenant or prospective tenant:

8 1. Monthly household income.

9 2. Occupation.

10 3. Rental history.

11 4. Credit information.

12 5. Court records, including arrest and conviction records, to which there is
13 public access.

14 6. Social security number or other proof of identity.

15 (b) Limits how far back in time a prospective tenant’s credit information,
16 conviction record, or previous housing may be taken into account by a landlord.

17 (c) Prohibits a landlord from entering into a rental agreement for a premises
18 with a prospective tenant during the tenancy of the current tenant of the premises.

19 (d) Prohibits a landlord from showing a premises to a prospective tenant during
20 the tenancy of the current tenant of the premises.

21 **(3)** If a city, village, town, or county has in effect on the effective date of this
22 subsection [LRB inserts date], an ordinance that is inconsistent with sub. (2), the
23 ordinance does not apply and may not be enforced.

24

(END)