

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0037/1dn
MDK:jld:jm

April 23, 2013

Sen. Olsen:

This substitute amendment is identical to 2013 SB-79, except for the following:

1. "Residential real estate" is defined to refer to a one-family or two-family dwelling, rather than to four dwelling units or less.
2. Cancellations must occur before the end of the third business day after receipt of a noncoverage notice, instead of the fifth business day.
3. The only penalty for violating the substitute amendment is a civil forfeiture of not less than \$500 nor more than \$1,000. Unlike the bill, a violation is not an unfair trade practice under s. 100.20. As a result, although DATCP enforces the substitute amendment (see s. 93.07 (24), which requires DATCP to enforce ch. 100), the enforcement authority and penalties under s. 100.20 do not apply. Also, because the substitute amendment specifies a civil forfeiture as the penalty, the criminal penalty under s. 100.26 (1) does not apply.

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