

**2013 DRAFTING REQUEST**

**Senate Amendment (SA-SA1-SB179)**

Received: **8/26/2013** Received By: **pkahler**  
Wanted: **Today** Same as LRB:  
For: **Frank Lasee (608) 266-3512** By/Representing: **Rob Kovach**  
May Contact: Drafter: **pkahler**  
Subject: **Real Estate - landlord/tenant** Addl. Drafters:  
Extra Copies:

Submit via email: **YES**  
Requester's email: **Sen.Lasee@legis.wisconsin.gov**  
Carbon copy (CC) to: **Fern.Knepp@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Notice regarding domestic abuse protections, service, landlord registry

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 8/26/2013	evinz 8/26/2013	jmurphy 8/26/2013	_____			
/1				_____	lparisi 8/26/2013	lparisi 8/26/2013	

FE Sent For:

<END>

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<END>

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

8-26

Rep Kowalski

redraft a0693/1 to correct

cross-reference



LRBa069371  
PJK/PJH/EVM:eev&csac:ph

20749/1

**SENATE AMENDMENT ,  
TO SENATE AMENDMENT 1,  
TO SENATE BILL 179**

Now

1 At the locations indicated, amend the amendment as follows:

2 **1.** Page 1, line 3: after that line insert:

3 “1m. Page 6, line 13: after that line insert:

4 “c. The information is solely information that will enable a person to contact  
5 the owner or, at the option of the owner, an agent of the owner.”.”.

6 **2.** Page 2, line 10: after that line insert:

7 ““SECTION 13b. 704.14 of the statutes is created to read:

8 **704.14 Notice of domestic abuse protections.** A residential rental  
9 agreement shall include the following notice in the agreement or in an addendum to  
10 the agreement:

11 **NOTICE OF DOMESTIC ABUSE PROTECTIONS**

1 (1) As provided in section 106.50 (5m) (a) of the Wisconsin statutes, a tenant  
2 may be able to stop an eviction action if the tenant can prove that the landlord knew,  
3 or should have known, the tenant is a victim of domestic abuse, sexual assault, or  
4 stalking and that the eviction action is based on conduct related to domestic abuse,  
5 sexual assault, or stalking committed by either of the following:

6 (a) A person who was not the tenant's invited guest.

7 (b) A person who was the tenant's invited guest, but the tenant has done either  
8 of the following:

9 1. Sought an injunction barring the person from the premises.

10 2. Provided a written statement to the landlord stating that the person will no  
11 longer be an invited guest of the tenant and the tenant has not subsequently invited  
12 the person to be the tenant's guest.

13 (2) A tenant who is a victim of domestic abuse, sexual assault, or stalking may  
14 have the right to terminate the rental agreement in certain limited situations, as  
15 provided in section 704.16 of the Wisconsin statutes. If the tenant has safety  
16 concerns, the tenant should contact a local victim service provider or law  
17 enforcement agency.

18 (3) A tenant is advised that this notice is only a summary of the tenant's rights  
19 and the specific language of the statutes governs in all instances.”.

20 3. Page 2, line 11: delete “SECTION” and substitute “SECTION”.

21 4. Page 3, line 20: delete “704.16.” and substitute “704.16, regardless of  
22 whether the rental agreement includes the notice required under s. 704.14.”.

23 5. Page 3, line 20: after that line insert:

24 “SECTION 18f. 704.44 (10) of the statutes is created to read:

1           704.44 (10) Allows the landlord to terminate the tenancy of a tenant for a crime  
2 committed in relation to the rental property and the rental agreement does not  
3 include the notice required under s. 704.14.”.”.

4           **6.** Page 4, line 6: after that line insert:

5           “9m. Page 12, line 17: after that line insert:

6           “SECTION 22m. 799.12 (3) of the statutes is amended to read:

7           799.12 (3) If authorized by court rule under sub. (2), service may be made by  
8 mail by leaving the original and necessary copies of the summons with the clerk of  
9 court, together with the fee prescribed in s. 814.62 (4). The court may by rule shall  
10 require the use of certified mail with return receipt requested, in which event for all  
11 eviction cases for which service by mail is authorized under sub. (2), and for all other  
12 cases may by rule require the use of certified mail with return receipt requested.  
13 Whenever the use of certified mail is required, the additional fee prescribed in s.  
14 814.62 (4) shall be paid for each defendant. The clerk shall mail a copy to each  
15 defendant at the last-known address as specified in the summons. Service of the  
16 summons is considered completed when it is mailed, unless the envelope enclosing  
17 the summons has been returned unopened to the clerk prior to the return date. All  
18 mailing of summonses shall be done in envelopes upon which the clerk’s return  
19 address appears, with a request to return to that address. Service by mail to obtain  
20 a personal judgment shall be limited to the county where the action is commenced.”.”.

21           **7.** Page 5, line 7: after “704.44 (9)” insert “and (10)”.

22           **8.** Page 5, line 22: after that line insert:

23           “23m. Page 20, line 22: after that line insert:

