

**2013 DRAFTING REQUEST**

**Senate Amendment (SA-SB155)**

Received: 10/14/2013 Received By: mkunkel  
Wanted: As time permits Same as LRB:  
For: Jon Erpenbach (608) 266-6670 By/Representing: Julie Laundrie  
May Contact: Drafter: mkunkel  
Subject: Trade Regulation - other Addl. Drafters:  
Extra Copies: MPG

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

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Forfeiture and private cause of action for do-not-call violations

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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>
/?	mkunkel 10/14/2013			_____			
/1		kfollett 10/14/2013	jmurphy 10/14/2013	_____	lparisi 10/14/2013	lparisi 10/14/2013	

FE Sent For:

<END>

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/?	mkunkel	1/1kf 10/14	jm 10/14	self			

FE Sent For:

<END>



*EJF*

*Today*

*IN 10-14*

**SENATE AMENDMENT ,  
TO SENATE BILL 155**

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

2 **1.** Page 1, line 7: delete “and making an appropriation” and substitute  
3 “making an appropriation, and providing a penalty”.

4 **2.** Page 5, line 22: after “DUTIES” insert “; ENFORCEMENT”.

5 **3.** Page 6 line 2: after that line insert:

6 “SECTION 16g. 100.52 (9) (c) of the statutes is created to read:

7 100.52 (9) (c) Any person who suffers damages as a result of a violation of this  
8 section may bring an action for damages against the violator for the amount of the  
9 person’s damages or \$500, whichever is greater, and such other equitable relief as  
10 may be determined by the court. Notwithstanding s. 814.04 (1), a court shall award  
11 to a prevailing plaintiff in an action under this paragraph reasonable attorney fees.

12 **SECTION 16r.** 100.52 (10) of the statutes is amended to read:

1           100.52 (10) PENALTIES. (a) Except as provided in par. (b), a person who violates  
2           this section may be required to forfeit ~~\$100~~ <sup>✓</sup> not more than \$1,000 for each violation.

3           (b) A telephone solicitor that violates sub. (4) may be required to forfeit not  
4           more than ~~\$100~~ <sup>✓</sup> \$1,000 for each violation.”.

5           **History:** 2001 a. 16 ss. 2435 to 2446f, 2819b, 2821b; 2007 a. 226; 2011 a. 197.

(END)