



2013 SENATE BILL 512

January 23, 2014 – Introduced by Senators COWLES, C. LARSON, PETROWSKI, SCHULTZ, MILLER and VINEHOUT, cosponsored by Representatives SPIROS, A. OTT, STEINEKE, KRUG, BIES, KOLSTE, T. LARSON, SARGENT, C. TAYLOR, DANOU and OHNSTAD. Referred to Committee on Transportation, Public Safety, and Veterans and Military Affairs.

1 **AN ACT to amend** 287.18 (5); and **to create** 287.18 (1) (bm) of the statutes;
2 **relating to:** deposits on the sale of certain lead acid batteries.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from disposing of a lead acid battery, including a motor vehicle battery, by placing it in a landfill or incinerating it. Current law requires anyone who sells a lead acid battery to a person who will use the battery (a consumer) and who installs the battery to accept the consumer's used battery. Current law also requires a person who sells a lead acid battery to a consumer without installing the battery to offer to take the used battery in trade. The law prohibits a person from charging a consumer a deposit of more than \$5 on the sale of a lead acid battery.

This bill requires a person who sells a consumer a replacement lead acid battery of the kind used in motor vehicles to charge a deposit of \$10.

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

3 **SECTION 1.** 287.18 (1) (bm) of the statutes is created to read:
4 287.18 (1) (bm) "Deposit" means an amount charged upon the sale of an item,
5 whether as a separate charge or included in the original purchase price of the item,

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1 that is refunded when the item, or another item of the same kind, is relinquished to
2 the person who sold the item. “Deposit” includes a core charge.

3 **SECTION 2.** 287.18 (5) of the statutes is amended to read:

4 287.18 (5) DEPOSIT. A retailer ~~may~~ shall charge a deposit of ~~not more than \$5~~
5 \$10 on the sale of ~~a~~ an automotive type replacement battery, such as an automobile,
6 truck, motorcycle, all-terrain vehicle, utility terrain vehicle, snowmobile, golf cart,
7 tractor, lawn and garden equipment, or marine battery or other battery used to start
8 an internal combustion engine. The retailer shall refund the deposit if the consumer
9 delivers the battery to the retailer under sub. (3) (a) 3.

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(END)