

1991 Senate Bill 503

Date of enactment: **April 16, 1992**
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1991 WISCONSIN ACT 200

AN ACT *to create* 779.035 (1m) of the statutes, **relating to:** voiding certain provisions in construction contracts.

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

SECTION 1. 779.035 (1m) of the statutes is created to read:

779.035 (1m) The following provisions in contracts for the improvement of land in this state are void:

(a) Provisions requiring a contractor, subcontractor or material supplier to waive his or her right to a construction lien or to a claim against a payment bond before he or she has been paid for the labor or materials or both that he or she furnished.

(b) Provisions making the contract subject to the laws of another state or requiring that any litigation, arbitra-

tion or other dispute resolution process on the contract occur in another state.

(c) Provisions making a payment to a general contractor from any person who does not have a contractual agreement with the subcontractor or supplier a condition precedent to a general contractor's payment to a subcontractor or a supplier. This paragraph does not prohibit contract provisions that may delay a payment to a subcontractor until the contractor receives payment from any person who does not have a contractual agreement with the subcontractor or supplier.

SECTION 2. Initial applicability. This act first applies to contracts executed on the effective date of this SECTION.
