

1993 Assembly Bill 856

Date of enactment: **April 19, 1994**

Date of publication\*: **May 3, 1994**

# 1993 WISCONSIN ACT 361

AN ACT *to amend* 196.208 (title), 196.208 (10) (a) and 196.208 (11) (a) 1; and *to create* 196.208 (1) (c), 196.208 (5t) and 196.208 (6) (e) of the statutes, **relating to:** toll-free telecommunications services and providing penalties.

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

**SECTION 1.** 196.208 (title) of the statutes is amended to read:

**196.208 (title) Telecommunications pay-per-call and toll-free services.**

**SECTION 2.** 196.208 (1) (c) of the statutes is created to read:

196.208 (1) (c) "Toll-free service vendor" means a person who sells goods or services using a telecommunications service that allows calls to be made to a specific location at no charge to the calling party.

**SECTION 3.** 196.208 (5t) of the statutes is created to read:

196.208 (5t) TOLL-FREE SERVICE. A toll-free service vendor may not do any of the following:

(a) Impose a charge on the calling party or the customer responsible for the access line from which the call is placed for calling the toll-free service vendor.

(b) Transfer the calling party to a pay-per-call service.

(c) Charge the calling party for information provided during the call, unless the calling party has a presubscription relationship with the toll-free service vendor or unless the caller discloses a credit card account number during the call.

(d) Call back the calling party collect.

**SECTION 4.** 196.208 (6) (e) of the statutes is created to read:

196.208 (6) (e) Refrain from advertising a number as toll-free if the toll-free service vendor has violated sub. (5t).

**SECTION 5.** 196.208 (10) (a) of the statutes is amended to read:

196.208 (10) (a) Subsections (2) to (5) apply to any pay-per-call service that a caller may access by a call originating in this state and sub. (5t) applies to any toll-free service vendor that a caller may access by a call originating in this state.

**SECTION 6.** 196.208 (11) (a) 1. of the statutes is amended to read:

196.208 (11) (a) 1. If a provider or a toll-free service vendor fails to comply with this section, any person or class of persons adversely affected by the failure to comply has a claim for appropriate relief, including but not limited to damages, injunctive or declaratory relief, specific performance and rescission.

**SECTION 7. Initial applicability.** This act first applies to calls to a toll-free service vendor on the effective date of this SECTION.

**SECTION 8. Effective date.** This act takes effect on the first day of the 4th month beginning after publication.