



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRBa0985/1  
CTS:nwn:rs

**ASSEMBLY AMENDMENT 1,  
TO 2009 SENATE BILL 190**

October 28, 2009 – Offered by Representative MOLEPSKE JR..

1           At the locations indicated, amend the bill, as shown by senate substitute  
amendment 1, as follows:

2           **1.** Page 3, line 16: after that line insert:

3           “13. A contract between a cooperative association organized under ch. 185 and  
4           a member of the cooperative, or a contract under which a cooperative association  
5           organized under ch. 185 is a seller.

6           14. A contract for the lease, maintenance, repair, service, or inspection of  
7           elevator or escalator systems, including mechanical and electrical components of  
8           such systems when built into real property.”

9           **2.** Page 3, line 23: after “contract” insert “that is entered into, modified, or  
renewed after the effective date of this subsection .... [LRB inserts date],”.

1           **3.** Page 5, line 2: after “extension,” insert “and the deadline for the customer  
to decline renewal or extension of the contract is more than 60 days after the effective  
date of this subsection ... [LRB inserts date],”.

2           **4.** Page 6, line 12: before “may” insert “that is entered into, modified, or  
renewed after the effective date of this subsection ... [LRB inserts date],”.

3           **5.** Page 7, line 1: before that line insert:

4           “(am) Notwithstanding par. (a) 1., if a seller who fails to give to a customer a  
5 notice required under sub. (3) subsequently receives notice that the customer  
6 declines renewal or extension and agrees to terminate the contract as of the date the  
7 customer notified the seller, the customer is responsible for charges incurred by the  
8 customer under the contract before the date on which the customer notified the seller  
9 and the customer may not bring an action against the seller based on the seller’s  
10 failure to provide the required notice, unless the seller’s failure to provide the  
11 required notice was willful or malicious.”.

12           **6.** Page 7, line 24: delete the material beginning with that line and ending with  
page 8, line 3.

13

(END)