



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa0798/1
GMM:jld:ph

**SENATE AMENDMENT 1,
TO 2009 SENATE BILL 204**

October 1, 2009 – Offered by Senator COGGS.

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

2 **1.** Page 8, line 6: after that line insert:

3 “**SECTION 16g.** 106.50 (5m) (dm) of the statutes is created to read:

4 106.50 (**5m**) (dm) It is not discrimination based on status as a victim of
5 domestic abuse, sexual abuse, or stalking for a landlord to bring an action for eviction
6 of a tenant based on a violation of the rental agreement or of a statute that entitles
7 the landlord to possession of the premises, unless subd. 1. or 2. applies. A tenant has
8 a defense to an action for eviction brought by a landlord if the tenant proves by a
9 preponderance of the evidence that the landlord knew or should have known any of
10 the following:

11 1. That the tenant is a victim of domestic abuse, sexual abuse, or stalking and
12 that the basis for the action for eviction is conduct that related to the commission of

1 domestic abuse, sexual abuse, or stalking by a person who was not the invited guest
2 of the tenant.

3 2. That the tenant is a victim of domestic abuse, sexual abuse, or stalking, that
4 the basis for the action for eviction is conduct that related to the commission of
5 domestic abuse, sexual abuse, or stalking by a person who was the invited guest of
6 the tenant, and that the tenant has done one of the following:

7 a. Sought an injunction under s. 813.12, 813.122, 813.123, or 813.125 enjoining
8 the person from appearing on the premises.

9 b. Upon receiving notice under s. 704.17, provided a written statement to the
10 landlord indicating that the person will no longer be an invited guest of the tenant
11 and has not subsequently invited the person to be a guest of the tenant.”.

12

(END)