



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1651/P2

JAM:emw

DOA:.....Hutter, BB0372 - Severe weather event price gouging

FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

COMMERCE AND ECONOMIC DEVELOPMENT

COMMERCE

Severe thunderstorm price gouging

Under current law, no manufacturer, producer, supplier, wholesaler, distributor, or retailer may sell or offer to sell consumer goods or services at unreasonably excessive prices if the governor by executive order has certified that the state or a part of the state is in a period of abnormal economic disruption due to an emergency. An “emergency” in this context includes a destructive act of nature, a hostile action, terrorism, or a disruption of energy supplies that poses a risk to the public’s economic well-being, public health, or welfare. A “consumer good or service” under the law means those goods or services that are used primarily for personal, family, or household purposes.

This bill prohibits residential building contractors, tree trimmers, and restoration and mitigation services providers that are operating within a geographic region impacted by, and repairing damage caused by, a severe thunderstorm from doing either of the following: 1) charging an unreasonably excessive price for labor in comparison to the market price charged for comparable services in the geographic region impacted by the weather event and 2) charging an insurance company a rate for a consumer good or service that exceeds what the residential building contractor, tree trimmer, or restoration and mitigation services provider would otherwise charge a member of the general public for the consumer good or service. “Severe thunderstorm” is defined in the bill to mean a weather event in which any of the following occurs: 1) hail that is one inch or greater in diameter; 2) wind gusts in excess of 50 knots; or 3) a tornado.

The bill requires DATCP to promulgate rules to establish formulas or other standards to be used in determining whether a price for labor is unreasonably excessive. Under the bill, DATCP or, after consulting with DATCP, DOJ may commence an action against a person that has violated the prohibition in the bill to recover a civil forfeiture of not more than \$1,000 per violation, to temporarily or permanently restrain or enjoin the person from violating the prohibition in the bill, or both.

BILL

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 100.306 of the statutes is created to read:

100.306 Prohibited selling practices upon the occurrence of a severe thunderstorm. (1) DEFINITIONS. In this section:

(a) “Consumer goods or services” means goods or services that are used primarily for personal, family, or household purposes.

(b) “Restoration and mitigation services provider” means a person that provides a service to prevent further damage or provide protection to property following a fire, smoke, water, or storm event.

(c) “Severe thunderstorm” means a weather event in which any of the following occurs:

1. Hail that is one inch or greater in diameter.
2. Wind gusts in excess of 50 knots.
3. A tornado.

(2) PROHIBITION. Upon the occurrence of a severe thunderstorm, a residential building contractor, tree trimmer, or restoration and mitigation services provider operating within the geographic region impacted by the severe thunderstorm and repairing damage caused by the severe thunderstorm may not do any of the following:

- (a) Charge an unreasonably excessive price for labor in comparison to the

BILL**SECTION 1**

market price charged for comparable services in the geographic region impacted by the severe thunderstorm.

(b) Charge an insurance company a rate for a consumer good or service that exceeds what the residential building contractor, tree trimmer, or restoration and mitigation services provider would otherwise charge a member of the general public for the consumer good or service.

(3) RULES. The department shall promulgate rules to establish formulas or other standards to be used in determining whether a price for labor is unreasonably excessive under sub. (2) (a).

(4) ENFORCEMENT; PENALTY. If a person violates sub. (2), the department or, after consulting with the department, the department of justice may commence an action against a person in the name of the state to recover a civil forfeiture of not more than \$1,000 per violation or to temporarily or permanently restrain or enjoin the person from violating sub. (2), or both.

(END)