



1997 ASSEMBLY BILL 335

May 1, 1997 - Introduced by Representatives FREESE, NOTESTEIN, MUSSER, NASS, OTT, SYKORA and LORGE, cosponsored by Senator SCHULTZ. Referred to Committee on Judiciary.

1 **AN ACT to create** 859.025 of the statutes; **relating to:** barring certain claims
2 against estates by landlords.

Analysis by the Legislative Reference Bureau

This bill specifies that a landlord may not make a claim against an estate for rent that is due on residential property if the decedent was the sole occupant of the property and if the rent is for a payment period that begins after all the decedent's property is removed from the premises and the keys are returned. The bill also specifies that a landlord may not make a claim against an estate for rent due on residential property if the decedent was not the sole occupant of the property.

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

3 **SECTION 1.** 859.025 of the statutes is created to read:
4 **859.025 Certain claims of landlords barred.** No lessor may make a claim
5 against an estate for rent on residential property the only occupant of which was the
6 decedent if that rent becomes due after the payment period during which all of the
7 decedent's property is removed from the premises and the keys to the premises are

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1 returned to the landlord or to the landlord's agent. No lessor may make a claim
2 against an estate for rent that is due on residential property if the decedent was not
3 the only occupant of the property.

4 **SECTION 2. Initial applicability.**

5 (1) This act first applies to claims that are based on leases that are entered into
6 on the effective date of this subsection.

7 (END)