



2009 SENATE BILL 560

February 26, 2010 – Introduced by Senators LEHMAN and TAYLOR, cosponsored by Representatives POPE-ROBERTS, TURNER and KNODL. Referred to Committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection.

1 **AN ACT** *to create* 100.18 (10d) of the statutes; **relating to:** prohibiting
2 advertising the price of merchandise as reduced by an available rebate unless
3 the rebate is provided at the time of purchase.

Analysis by the Legislative Reference Bureau

Current law generally prohibits untrue, deceptive, or misleading advertising for real estate, merchandise, securities, employment, or services. Current law also identifies specific practices as prohibited deceptive advertising. The Department of Agriculture, Trade and Consumer Protection enforces the current provisions and investigates violations. Violators are generally subject to a forfeiture of \$50 to \$100 for each violation. Also under current law, a person who suffers pecuniary loss as a result of a violation may bring an action against the violator to recover the amount of the loss and attorney fees.

This bill identifies another practice that constitutes deceptive advertising. Under the bill, it is deceptive advertising to advertise the price of merchandise as reduced by an available rebate of a portion of the purchase price unless the rebate is provided to the purchaser at the time of purchase.

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:

