

CHAPTER 14

AN ACT to amend 136.01 (2) (b) and 136.16 (1) and (2); and to create 136.08 (1a) of the statutes, relating to the real estate brokers board, defining "broker," granting the board access to injunctive relief and making penalties uniform.

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

SECTION 1. 136.01 (2) (b) of the statutes is amended to read:

136.01 (2) (b) Is engaged wholly or in part in the business of selling real estate *to the extent that a pattern of real estate sales is established*, whether or not such real estate is owned by such person; or

SECTION 2. 136.08 (1a) of the statutes is created to read:

136.08 (1a) In lieu of the procedure set forth in sub. (1), if the board has reason to believe that a person is acting as a broker or salesman without a license and that the continuation of such activity might cause injury to the public interest, the board or its staff counsel at the direction of the board may petition the circuit court for a temporary restraining order, an injunction or a writ of ne exeat as provided in ch. 268. The provisions of s. 136.16 shall not apply to this subsection.

SECTION 3. 136.16 (1) and (2) of the statutes are amended to read:

136.16 (1) Any person who engages in or follows the business or occupation of, or advertises or holds himself out as or acts temporarily or otherwise as a real estate broker or salesman in this state without a license, or who otherwise violates any provision of this chapter, shall be prosecuted by the district attorney in the county where violation occurs and * * * *may* be fined not * * * more than * * * \$1,000 or imprisoned not * * * more than 6 months or both.

(2) Any person who engages in or follows the business or occupation of, or advertises or holds himself out as or acts temporarily or otherwise as a business opportunity broker or salesman in this state without a license, or who otherwise violates any provision of this chapter, shall be prosecuted by the district attorney in the county where violation occurs and * * * *may* be fined not * * * more than * * * \$1,000 or imprisoned not * * * more than 6 months or both.

Approved March 28, 1963.
