

State of Wisconsin



1997 Senate Bill 35

Date of enactment: **April 9, 1998**
Date of publication*: **April 23, 1998**

1997 WISCONSIN ACT 76

AN ACT to create 134.695 of the statutes; relating to: the purchase of used home furnishings by antique dealers and recyclers and providing a penalty.

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

SECTION 1. 134.695 of the statutes is created to read:

134.695 Antique dealers and recyclers. (1) In this section:

(a) "Antique dealer" means a person, other than a nonprofit organization, who is engaged in the business of selling or purchasing used home furnishings.

(am) "Nonprofit organization" means an organization described in section 501 (c) (3) of the Internal Revenue Code which is exempt from federal income tax under section 501 (a) of the Internal Revenue Code.

(b) "Recycler" means a person, other than a nonprofit organization, who is engaged in the business of purchasing used home furnishings for the purpose of collecting, separating, processing and selling the material that was used in manufacturing the used home furnishings.

(c) "Registration plate" means a plate specified under s. 341.12 or under a similar law of another state.

(d) "Used home furnishings" means windows, siding, piping, radiators, cabinets, bookcases, doors, light fixtures, wood moldings, bathroom fixtures, bannisters, doorknobs, mantels, staircases or other attached items that are removed from a home or other building.

(2) No antique dealer or recycler may knowingly pur-

chase or receive used home furnishings from a person unless the antique dealer or recycler obtains the person's signature and records all of the following information:

(a) The person's name and address.

(b) One of the following identification numbers:

1. The person's motor vehicle operator's license number.

2. The person's state identification card number.

3. The person's military identification card number.

4. The person's U.S. passport number.

5. The person's alien registration card number.

(c) The registration plate numbers and the color, make, model and year of any motor vehicle delivering the used home furnishings to the antique dealer or recycler.

(d) If known by the person, the address of the home or other building from which the used home furnishings were removed.

(3) An antique dealer or recycler shall maintain a record of the information provided under sub. (2) for not less than one year after the later of the dates on which the antique dealer or recycler purchases or receives the used home furnishings.

(4) Any person who violates this section shall forfeit not less than \$100 nor more than \$1,000 for the first offense and shall forfeit not less than \$500 nor more than \$3,000 upon conviction for a 2nd or subsequent offense.

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].