



**ASSEMBLY AMENDMENT 1,
TO 2007 SENATE BILL 269**

February 13, 2008 – Offered by Representative SUDER.

1 At the locations indicated, amend the bill, as shown by senate substitute
2 amendment 1, as follows:

3 **1.** Page 1, line 3: delete “harm and” and substitute “harm, ”.

4 **2.** Page 1, line 4: after “unenforceable” insert “, and prohibiting the imposition
5 of fees for certain local government law enforcement services”.

6 **3.** Page 2, line 1: before that line insert:

7 “**SECTION 1e.** 66.0627 (7) of the statutes is created to read:

8 66.0627 (7) Notwithstanding sub. (2), no city, village, town, or county may
9 enact an ordinance, or enforce an existing ordinance, that imposes a fee on the owner
10 or occupant of property for a call for assistance that is made by the owner or occupant
11 requesting law enforcement services that relate to any of the following:

12 (a) Domestic abuse, as defined in s. 813.12 (1) (am).

13 (b) Sexual assault, as described under ss. 940.225, 948.02, and 948.025.

1 (c) Stalking, as described in s. 940.32.

2 **SECTION 1m.** 704.01 (3m) of the statutes is created to read:

3 704.01 **(3m)** “Rental agreement” means an oral or written agreement between
4 a landlord and tenant, for the rental or lease of a specific dwelling unit or premises,
5 in which the landlord and tenant agree on the essential terms of the tenancy, such
6 as rent. “Rental agreement” includes a lease. “Rental agreement” does not include
7 an agreement to enter into a rental agreement in the future.”.

8 **4.** Page 2, line 1: delete “**SECTION 1**” and substitute “**SECTION 1s**”.

9 **5.** Page 2, line 3: after “**TERMINATING TENANCY**” insert “**BY TENANT**”.

10 **6.** Page 3, line 17: after that line insert:

11 “**(3)** **TERMINATION OF TENANCY BY LANDLORD.** (a) In this subsection, “offending
12 tenant” is a tenant whose tenancy is being terminated under this subsection.

13 (b) A landlord may terminate the tenancy of an offending tenant if all of the
14 following apply:

15 1. The offending tenant commits one or more acts, including verbal threats,
16 that cause another tenant, or a child of that other tenant, who occupies a dwelling
17 unit in the same single-family rental unit, multiunit dwelling, or apartment
18 complex as the offending tenant to face an imminent threat of serious physical harm
19 from the offending tenant if the offending tenant remains on the premises.

20 2. The offending tenant is the named offender in any of the following:

21 a. An injunction order under s. 813.12 (4) protecting the other tenant from the
22 offending tenant.

23 b. An injunction order under s. 813.122 protecting the child of the other tenant
24 from the offending tenant.

1 c. An injunction order under s. 813.125 (4) protecting the other tenant or the
2 child of the other tenant from the offending tenant, based on the offending tenant's
3 engaging in an act that would constitute sexual assault under s. 940.225, 948.02, or
4 948.025, or stalking under s. 940.32, or attempting or threatening to do the same.

5 d. A condition of release under ch. 969 ordering the offending tenant not to
6 contact the other tenant.

7 e. A criminal complaint alleging that the offending tenant sexually assaulted
8 the other tenant or the child of the other tenant under s. 940.225, 948.02, or 948.025.

9 f. A criminal complaint alleging that the offending tenant stalked the other
10 tenant or the child of the other tenant under s. 940.32.

11 g. A criminal complaint that was filed against the offending tenant as a result
12 of the offending tenant being arrested for committing a domestic abuse offense
13 against the other tenant under s. 968.075.

14 3. The landlord gives the offending tenant written notice that complies with s.
15 704.21 requiring the offending tenant to vacate on or before a date that is at least 5
16 days after the giving of the notice. The notice shall state the basis for its issuance
17 and the right of the offending tenant to contest the termination of tenancy in an
18 eviction action under ch. 799. If the offending tenant contests the termination of
19 tenancy, the tenancy may not be terminated without proof by the landlord by the
20 greater preponderance of the credible evidence of the allegations against the
21 offending tenant.”.

22 **7.** Page 4, line 16: after that line insert:

