



## WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

**2005 Wisconsin Act 450**  
[2005 Senate Bill 358]

**Prohibiting Excessive Prices During  
Abnormal Economic Disruption**

2005 Wisconsin Act 450 prohibits a seller from selling or offering to sell in Wisconsin, at wholesale or at retail, “consumer goods or services” at unreasonably excessive prices if the governor, by executive order, has certified that the state or a part of the state is in a “period of abnormal economic disruption.”

The Act defines “consumer goods or services” as goods or services that are used primarily for personal, family, or household purposes. The Act defines “period of abnormal economic disruption” as “a period of time during which normal business transactions in the state or a part of the state are disrupted, or are threatened to be disrupted, due to an emergency.”

The Department of Agriculture, Trade and Consumer Protection (DATCP) is required to promulgate rules to establish formulas or other standards to be used in determining whether a wholesale or retail price is “unreasonably excessive.” If a seller violates the prohibition, DATCP or the Department of Justice after consulting with DATCP may do any of the following:

- Issue to the seller a warning notice specifying the action that the seller is required to take in order not to be in violation.
- Commence an action against the seller in the name of the state to recover a civil forfeiture of not more than \$10,000 or to temporarily or permanently restrain or enjoin the seller from violating the prohibition, or both.

**Effective Date:** The Act takes effect on June 10, 2006.

**Prepared by:** Mary Offerdahl, Staff Attorney

June 1, 2006

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.