



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 252
[2015 Senate Bill 485]

**Consumer Protection Violations
Against the Elderly and Disabled**

Wisconsin law allows a court to impose a supplemental forfeiture of up to \$10,000 for violations of certain laws enforced by the Department of Agriculture, Trade, and Consumer Protection (DATCP) if the defendant's conduct was perpetrated against an elderly person¹ or disabled person² and the court finds that certain factors are present.

2015 Wisconsin Act 252 expands the list of violations of laws enforced by DATCP for which a court may impose a supplemental forfeiture to include laws relating to the following:

- Future service plans.
- Rental vehicles.
- Self-service storage facilities.
- Time shares.
- Foreclosure consultants.
- Prize notices.
- Mail-order sales.
- Unfair billing.
- Vehicle protection product warranties.

¹ "Elderly person" means a person who is at least 62 years of age.

² "Disabled person" means a person who has an impairment of a physical, mental, or emotional nature that substantially limits at least one major life activity. "Major life activity" means self-care, walking, seeing, hearing, speaking, breathing, learning, performing manual tasks, or being able to be gainfully employed.

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.wisconsin.gov>.

- Video subscriber rights.
- Solicitations of public record fees.
- Contract solicitations using checks or money orders.
- Telephone solicitations.
- Telephone records.
- Consumer loan information.
- Tax preparer client information.
- Residential contractors.
- Pawnbrokers and secondhand article and jewelry dealers.
- Unsolicited messages by fax machine.
- Telephone solicitations by prisoners.
- Motorized wheelchair warranties.

Effective date and initial applicability: Act 252 took effect on March 3, 2016 and first applies to violations committed on that day.

Prepared by: Michael Queensland, Staff Attorney

April 11, 2016

MQ:mcm;jal