



1995 ASSEMBLY BILL 652

November 1, 1995 - Introduced by Representatives BRANDEMUEHL, OTT, WARD, FREESE, GUNDERSON, GOETSCH, MUSSEY and OLSEN, cosponsored by Senator SCHULTZ. Referred to Committee on Agriculture.

1 **AN ACT to create** 100.04 of the statutes; **relating to:** requirements for contracts
2 under which one party possesses livestock owned by another party.

Analysis by the Legislative Reference Bureau

This bill requires that a written contract, under which livestock owned by one party is possessed by another party for breeding, feeding or the production of animal products, specify how any payments received because of the destruction of the livestock due to disease or other unanticipated cause will be divided between the parties. Under the bill, if one party violates the contract provision concerning the division of these payments, the other party may recover double the amount of its loss as well as costs, including reasonable attorney fees.

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

3 **SECTION 1.** 100.04 of the statutes is created to read:

4 **100.04 Livestock production contracts. (1) DEFINITION.** In this section,
5 "livestock" means swine, cattle, poultry, sheep, goats or commercially raised deer, as
6 defined in s. 95.25 (5m).

7 **(2) REQUIRED CONTRACT TERMS.** Every written contract under which livestock
8 owned by one party is possessed by another party for breeding, feeding or the
9 production of animal products shall set forth, in clear language, the manner in which

1 any payments received because of the destruction of the livestock due to disease, fire
2 or other unanticipated cause shall be divided between the party owning the livestock
3 and the party possessing the livestock.

4 **(3) REMEDY FOR VIOLATION OF CONTRACT TERMS.** A party who sustains a loss as
5 a result of a violation by another party of contract terms required under sub. (2) may
6 recover all of the following:

7 (a) Double the amount of the loss.

8 (b) Costs, including reasonable attorney fees, notwithstanding s. 814.04 (1).

9 **(END)**