

# State of Wisconsin



2015 Senate Bill 485

Date of enactment: **March 1, 2016**  
Date of publication\*: **March 2, 2016**

## 2015 WISCONSIN ACT 252

AN ACT to amend 100.264 (2) (intro.) and 100.264 (3) of the statutes; relating to: supplemental forfeitures for trade and consumer protection violations perpetrated against the elderly and disabled and providing a penalty.

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

**SECTION 1.** 100.264 (2) (intro.) of the statutes is amended to read:

100.264 (2) SUPPLEMENTAL FORFEITURE. (intro.) If a fine or a forfeiture is imposed on a person for a violation under ch. 136 or 707 or s. 100.16, 100.17, 100.171, 100.174, 100.18, 100.182, 100.183, 100.195, 100.20, 100.203, 100.205, 100.207, 100.209, 100.21, 100.30 (3), 100.313, 100.315, 100.35, 100.44 or, 100.46, 100.52, 100.525, 100.55, 100.57, 100.65, 134.71, 134.72, 134.73, 134.87, 344.574, 344.576 (1), (2), or (3) (a) or (b), 344.577, or 344.578, or a provision of ch. 704 or 846 for which the department has rule-making, investigation, or enforcement authority, or a rule promulgated under one of those sections, chapters, or provisions, the person shall be subject to a supplemental forfeiture not to exceed

\$10,000 for that violation if the conduct by the defendant, for which the violation was imposed, was perpetrated against an elderly person or disabled person and if the court finds that any of the following factors is present:

**SECTION 2.** 100.264 (3) of the statutes is amended to read:

100.264 (3) PRIORITY FOR RESTITUTION. If the court orders restitution under s. 100.171 (8), 100.173 (4) (a), 100.174 (7), 100.175 (7), 100.177 (15), 100.18 (11) (d), 100.182 (5) (a), 100.20 (6), 100.205 (7), 100.207 (6) (b) 1. or, 100.44 (5), or 134.87 (6) for a pecuniary or monetary loss suffered by a person, the court shall require that the restitution be paid by the defendant before the defendant pays any forfeiture imposed under this section.

**SECTION 3. Initial applicability.**

(1) This act first applies to violations committed on the effective date of this subsection.

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\* Section 991.11, WISCONSIN STATUTES: 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."