



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-4590/1

KRP:amn

2023 ASSEMBLY BILL 737

December 6, 2023 - Introduced by Representatives MELOTIK, DITTRICH, BINSFELD, BROOKS, O'CONNOR, PENTERMAN, SORTWELL and TITTL, cosponsored by Senator STROEBEL. Referred to Committee on Consumer Protection.

AN ACT *to amend* 423.201 (1) (intro.) of the statutes; **relating to:** exempting certain sales from the notice and right to cancel provisions of the Wisconsin Consumer Act.

Analysis by the Legislative Reference Bureau

This bill provides that a sale by an entity regulated by the Office of the Commissioner of Insurance or by the entity's affiliates is not a "consumer approval transaction" for which the entity or affiliate must provide the customer with notice and for which the customer has a three-day right to cancel under the Wisconsin Consumer Act (consumer act). Under current law, a transaction that is in an amount of \$25,000 or less and that is entered into by a consumer for personal, family, or household purposes is generally subject to the consumer act. The consumer act grants consumers certain rights and remedies and contains notice and disclosure requirements and prohibitions that generally are not required for other transactions. Currently, under the consumer act, a customer has the right to cancel a consumer approval transaction until midnight of the third business day after the merchant gives a statutorily required notice to the customer. Under current law, a "consumer approval transaction" is defined as a transaction that 1) is initiated by face-to-face solicitation away from a regular place of business of the merchant or by mail or telephone solicitation directed to the particular customer and 2) is consummated or in which the customer's offer to contract or other writing

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evidencing the transaction is received by the merchant away from a regular place of business of the merchant and involves the extension of credit or is a cash transaction in which the amount the customer pays exceeds \$25.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 423.201 (1) (intro.) of the statutes is amended to read:

423.201 (1) (intro.) “Consumer approval transaction” means a consumer transaction, other than a sale or lease or listing for sale of real property ~~or~~, a sale of goods at auction, or a sale by an entity regulated by the office of the commissioner of insurance or by the entity’s affiliates, as defined in s. 600.03 (1), that:

(END)