



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-3307/1  
MDK:amn

## 2019 ASSEMBLY BILL 448

September 13, 2019 - Introduced by Representatives RODRIGUEZ, BALLWEG, MAGNAFICI and C. TAYLOR. Referred to Committee on Consumer Protection.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1 **AN ACT to renumber and amend 167.25 (1); to amend 167.25 (2); to repeal**  
2 **and recreate 167.25 (title); and to create 167.25 (1g) of the statutes; relating**  
3 **to: discarded or abandoned major appliances and providing a penalty.**

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### *Analysis by the Legislative Reference Bureau*

This bill expands the applicability of a prohibition under current law regarding discarded or abandoned refrigerators and freezers. Under current law, a person who discards or abandons a refrigerator or freezer with a capacity of 1.5 cubic feet or more and fails to remove the door of the refrigerator or freezer is guilty of a misdemeanor and subject to a fine of not more than \$50 or imprisonment for not more than 30 days or both. However, this penalty does not apply if, instead of removing the door, the latch on the door is adjusted to prevent the door from latching or locking. Also under current law, an owner, lessee, or manager who controls the premises on which a refrigerator or freezer has been discarded or abandoned is subject to the same penalties if he or she knowingly permits a discarded or abandoned refrigerator or freezer of that capacity to remain on the premises without removal of the door or adjustment of the latch.

Under the bill, the above penalties apply to discarding or abandoning a “major appliance” of any capacity, which the bill defines as a residential or commercial clothes dryer, clothes washer, dishwasher, refrigerator, icebox, freezer, stove, microwave oven, any other oven, or similar appliance that has a door. In addition, under the bill, the major appliance’s door must be removed for the penalties not to apply regardless of whether the latch is adjusted.

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Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

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

1           **SECTION 1.** 167.25 (title) of the statutes is repealed and recreated to read:

2           **167.25** (title) **Major appliances.**

3           **SECTION 2.** 167.25 (1) of the statutes is renumbered 167.25 (1r) and amended  
4 to read:

5           167.25 (1r) Any person who discards or abandons any refrigerator, icebox or  
6 deep freeze locker, having a capacity of 1 1/2 cubic feet or more, major appliance  
7 which is no longer in use, and which has not had the door removed, ~~or such portion~~  
8 ~~of the latch mechanism removed to prevent latching or locking of the door,~~ is guilty  
9 of a misdemeanor. Any owner, lessee or manager who knowingly permits such a  
10 refrigerator, icebox or deep freeze locker major appliance to remain on premises  
11 under his or her control without having the door removed ~~or such portion of the latch~~  
12 ~~mechanism removed to prevent latching or locking of the door~~ is guilty of a  
13 misdemeanor. Any person violating this section shall be fined not more than \$50 or  
14 imprisoned not more than 30 days or both.

15           **SECTION 3.** 167.25 (1g) of the statutes is created to read:

16           167.25 (1g) In this section, “major appliance” means a residential or  
17 commercial clothes dryer, clothes washer, dishwasher, refrigerator, icebox, freezer,  
18 stove, microwave oven, any other oven, or similar appliance that has a door.

19           **SECTION 4.** 167.25 (2) of the statutes is amended to read:

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1           167.25 (2) Guilt of a violation of this section shall not, in itself, render one guilty  
2 of manslaughter, battery or other crime against a person who may suffer death or  
3 injury from entrapment in such ~~refrigerator, icebox or deep freeze locker~~ major  
4 appliance.

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(END)