



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-3894/1
MCP:amn

2023 ASSEMBLY BILL 700

November 27, 2023 - Introduced by Representatives CLANCY, MADISON, RATCLIFF, PALMERI, C. ANDERSON, J. ANDERSON, BALDEH, CABRERA, CONLEY, DRAKE, EMERSON, HONG, JACOBSON, JOERS, MOORE OMOKUNDE, SHELTON, SINICKI, SNODGRASS, STUBBS and SUBECK, cosponsored by Senators LARSON, AGARD, HESSELBEIN, L. JOHNSON, ROYS and SMITH. Referred to Committee on Housing and Real Estate.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to amend* 704.05 (5) (a) 1.; and *to create* 704.05 (5) (d) of the statutes;
2 **relating to:** disposition of property left behind by a tenant and granting
3 rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, if a tenant vacates a rented premises, the landlord may presume that any personal property left behind has been abandoned and may dispose of it, unless there is a written agreement between the landlord and tenant to the contrary. This bill provides that a landlord may not presume that personal property has been abandoned if there is any indication from the tenant that the property is not abandoned. Under the bill, if the tenant has given any indication that the personal property is not abandoned, the landlord must comply with the 2009 version of the statutes, which require the landlord to either store the property or give the tenant 30 days' notice before disposing of the property.

The bill also prohibits a landlord from charging a tenant more than a reasonable rate for removing, disposing of, selling, or storing the tenant's personal property after the tenant removes from the premises. The bill requires this reasonable rate to be set by rule by the Department of Agriculture, Trade and Consumer Protection.

