



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-1187/1  
KP:cdc

## 2021 SENATE BILL 33

January 28, 2021 - Introduced by JOINT COMMITTEE FOR REVIEW OF ADMINISTRATIVE RULES. Referred to Committee on Labor and Regulatory Reform.

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

1     **AN ACT** *to create* 100.20 (2) (c) of the statutes; **relating to:** fees for nonpayment  
2             of rent and the suspension of a rule of the Department of Agriculture, Trade and  
3             Consumer protection.

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***Analysis by the Legislative Reference Bureau***

This bill prohibits the Department of Agriculture, Trade and Consumer Protection from promulgating a rule that prohibits landlords from charging residential tenants a fee for nonpayment or late payment of rent during an emergency declared by the governor. Current law authorizes DATCP to promulgate rules prohibiting unfair trade practices and unfair methods of competition.

The bill is introduced as required by s. 227.26 (2) (j), stats., in support of the action of the Joint Committee for Review of Administrative Rules in suspending DATCP emergency rule 2002. The suspended emergency rule prohibited landlords from charging residential tenants a fee or penalty for nonpayment or late payment of rent during an emergency declared by the governor and during the 90 days immediately following the expiration of the emergency.

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

4             **SECTION 1.** 100.20 (2) (c) of the statutes is created to read:

**SENATE BILL 33****SECTION 1**

1           100.20 **(2)** (c) Notwithstanding par. (a), the department may not issue any order  
2 or promulgate any rule that prohibits a landlord from charging a residential tenant  
3 a fee or penalty for nonpayment of rent or late payment of rent during an emergency  
4 declared under s. 323.10.

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**(END)**