

# WISCONSIN

**Wis. Stat. Ann.**

## **§134.72. Unsolicited Telephone and Fax Messages**

(1) In this section:

(1)(a) "Facsimile machine" means a machine that transmits copies of documents by means of a telephone line, telegraph line, microwave, satellite, radio wave, fiber optics, coaxial cable or any other transmission facility or any switching device.

(1)(b) "Facsimile solicitation" means the unsolicited transmission of a document by a facsimile machine for the purpose of encouraging a person to purchase property, goods or services.

(2)(a) A person may not make a facsimile solicitation without the consent of the person solicited unless all of the following apply:

(2)(a)1. The document transmitted by facsimile machine does not exceed one page in length and is received by the person solicited after 9 p.m. and before 6 a.m.

(2)(a)2. The person making the facsimile solicitation has had a previous business relationship with the person solicited.

(2)(a)3. The document transmitted by facsimile machine contains the name of the person transmitting the document.

(2)(b)1. Notwithstanding paragraph (2)(a), a person may not make a facsimile solicitation to a person who has notified the facsimile solicitor in writing or by facsimile transmission that the person does not want to receive facsimile solicitation.

(2)(b)2. Notwithstanding subdivision (2)(b)1, a person may not make a facsimile solicitation to a person who has notified the facsimile solicitor in writing or by facsimile transmission that the person does not want to receive facsimile solicitation.

(2)(c) A facsimile solicitor who receives notice under paragraph (2)(b) may not disclose to another the facsimile transmission number of the person who gave the notice under paragraph (2)(b). Each disclosure of a facsimile transmission number is a separate violation of this paragraph.

(3)(a) This section applies to any intrastate facsimile solicitation.

(3)(b) This section applies to any interstate telephone solicitation received by a person in this state.

(4) A person who violates this section may be required to forfeit not more than \$500.

*Created by Act No. 301, §1, Laws of 1977, effective May 12, 1978. Amended by Act No. 336, §§250p-250v, Laws of 1990, effective May 11, 1990; Act No. 351, §35, Laws of 1996, effective June 6, 1996; Act No. 27, §2915, Laws of 1997, effective October 14, 1997; Act No. 16, §§2818, 2819b, 2820d, 2821b, 2822, 2822m, and 2824-2826, Laws of 2001, effective September 1, 2001; and Act No. 61, §§1g, 1m, and 1r, Laws of 2005, effective July 1, 2006.*