



Tony Evers

OFFICE OF THE GOVERNOR

February 28, 2020

TO THE HONORABLE MEMBERS OF THE SENATE:

I am vetoing 2019 Senate Bill 613 in its entirety.

The bill specifies that in determining whether a "breach of the peace" occurs in the repossession of property (when undertaken without a judgement), only the action of the creditor and its authorized reposessor is to be considered and that any action by the customer, debtor, lessee or any bystander may not be considered. The bill also limits the liabilities of creditors, authorized repossessors, and independent contractors undertaking repossession of vehicles if they comply with all applicable requirements.

I am vetoing the bill because I object to excluding the conduct, actions or statements by a customer, debtor, lessee or any bystander in determining if a repossession occurs without breach of the peace. Because some individuals, especially low-income individuals, move more frequently, they may not receive any of the notifications (including a debtor's potential course of actions) that state law requires prior to a repossession. As a result, the repossession action itself may become an individual's first knowledge of a pending repossession. Preventing individuals from having their objection receive legal weight denies important protections, such as the right to a hearing. As a result, the bill could unjustly deprive vulnerable individuals of their vehicles and result in these individuals losing their employment if they cannot find other means of transportation. The risk that the bill creates for individuals who may unjustly have their vehicles repossessed does not outweigh any efficiencies in the repossession process that the bill is intended to create.

Respectfully submitted,

Tony Evers
Governor