



Tony Evers

OFFICE OF THE GOVERNOR

March 27, 2026

To the Honorable Members of the Assembly:

I am vetoing Assembly Bill 202 in its entirety.

This bill makes several changes to landlord-tenant law, with the primary purpose of exempting residential rental agreements from the Wisconsin Consumer Act. Current law includes ten prohibited provisions that cannot be included in a residential rental agreement, and inclusion of one of these provisions renders a residential rental agreement void and unenforceable. This bill would provide that, rather than automatically voiding a residential rental agreement, a tenant would be allowed to elect to void the agreement or sever a prohibited provision from the agreement, if the agreement contains any prohibited provision in its express language. If a tenant elects to sever a prohibited provision from their rental agreement, the unsevered portion of the agreement must be given full effect. The bill would provide that a person suffering pecuniary loss directly caused by a residential rental agreement's inclusion of a prohibited provision would be allowed to sue for damages in any court of competent jurisdiction and would be entitled to recover twice the amount of such pecuniary loss, together with costs, including a reasonable attorney fee.

I am vetoing this bill in its entirety because I object to the bill's approach to protecting the rights of tenants who may be the target of unfair rental agreements. While I am open to providing clarity and certainty for both landlords and tenants in how to address these issues, particularly in the wake of questions that have been raised by the Court of Appeals decision in *Koble Investments v. Marquardt*, this bill does not adequately balance landlord and tenant interests. The Court of Appeals recently held in this case that a tenant's lease of an apartment was a "consumer transaction" for purposes of the Act. This decision has been appealed to the Wisconsin Supreme Court. As oral arguments are set to be held in September 2025, a final decision has not yet been issued by the Court.

Because this bill unfortunately fails to address the many concerns I raised with it throughout the legislative process, efforts to provide clarity for landlords and tenants will have to wait to be informed by the outcome of the Wisconsin Supreme Court's consideration of the appeal pending before it.

Respectfully submitted,

A handwritten signature in black ink that reads "Tony Evers".

Tony Evers
Governor