



2023 ASSEMBLY BILL 289

May 25, 2023 - Introduced by Representatives SHANKLAND, STUBBS, J. ANDERSON, C. ANDERSON, ANDRACA, BALDEH, CABRERA, CLANCY, CONSIDINE, EMERSON, JOERS, MADISON, MOORE OMOKUNDE, OHNSTAD, PALMERI, SHELTON, SNODGRASS and SUBECK, cosponsored by Senators TAYLOR, CARPENTER, LARSON, ROYS and SMITH. Referred to Committee on Jobs, Economy and Small Business Development.

1 **AN ACT to create** 94.701 (3) (b) 9. of the statutes; **relating to:** allowing local
2 governments to prohibit or regulate pesticide use on private lawns.

Analysis by the Legislative Reference Bureau

Under current law, a city, village, town, or county (political subdivision) may not enact an ordinance that prohibits the use of or otherwise regulates pesticides unless the ordinance does one or more of the following: 1) regulates pesticide use on property that the political subdivision owns; 2) zones areas for pesticide manufacturing, distribution, and disposal; 3) implements a pesticide regulation required by law; 4) implements a cooperative agreement with the federal Environmental Protection Agency; 5) prohibits conduct that is prohibited under certain laws; 6) requires notification of pesticide use to be given to the political subdivision, if such notice is required by law; 7) sets standards for fire prevention in the storage of pesticides that pose a fire hazard; 8) regulates pesticides pursuant to a storm water management program; or 9) relates to the storage, treatment, or disposal of solid waste containing pesticides. Current law also requires a political subdivision to consult with the Department of Agriculture, Trade and Consumer Protection before enacting a pesticide ordinance.

This bill adds to this list of exemptions, allowing a political subdivision to enact an ordinance that prohibits or regulates the use of pesticides on private lawns.

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

ASSEMBLY BILL 289

SECTION 1

1 **SECTION 1.** 94.701 (3) (b) 9. of the statutes is created to read:
2 94.701 **(3)** (b) 9. Prohibits or regulates the use of pesticides on private lawns.
3 **(END)**