



2017 SENATE BILL 41

February 15, 2017 - Introduced by Senators JOHNSON, CARPENTER, C. LARSON and L. TAYLOR, cosponsored by Representatives C. TAYLOR, MASON, OHNSTAD, ANDERSON, KESSLER, SARGENT, BROSTOFF, CROWLEY, BERCEAU, GOYKE, BOWEN, ZEPNICK, WACHS, FIELDS, ZAMARRIPA and SINICKI. Referred to Committee on Insurance, Housing and Trade.

1 **AN ACT to create** 704.55 of the statutes; **relating to:** lead testing and disclosures
2 for certain rental properties.

Analysis by the Legislative Reference Bureau

This bill requires that a landlord conduct a test for lead for each water supply or plumbing system serving a premises prior to entering into a rental agreement with a prospective tenant for that premises. Under the bill, the landlord must disclose the results of the test for lead and disclose whether any water supply or plumbing system serving the premises contains lead pipes or lead service lines. If lead is detected by the test or there are lead pipes or lead service lines serving the premises, the landlord must provide the prospective tenant with the pamphlet published by the Department of Natural Resources that describes the risks of lead in drinking water. The bill provides that if a landlord fails to fulfill any of the obligations regarding testing, disclosure, or providing the pamphlet, the rental agreement for that premises is void and unenforceable in its entirety.

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

3 **SECTION 1.** 704.55 of the statutes is created to read:
4 **704.55 Lead content testing and disclosure.** (1) A landlord that leases a
5 residential premises or that leases any premises to a person having the purpose of

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1 operating a school or child care center shall, prior to entering into a rental agreement
2 with a prospective tenant, do all of the following:

3 (a) Conduct a test for lead content in each water supply or plumbing system
4 serving the premises.

5 (b) Disclose to the prospective tenant, in writing, the results of the test for lead
6 content under par. (a).

7 (c) Disclose to the prospective tenant, in writing, whether any water supply or
8 plumbing system serving the premises contains lead pipes or lead service lines.

9 (d) If any lead content is detected by the test under par. (a) or the landlord
10 discloses that a water supply or plumbing system contains lead pipes or lead service
11 lines under par. (c), provide the prospective tenant with the pamphlet developed by
12 the department of natural resources under s. NR 809.546, Wis. Adm. Code, that
13 describes the risks of lead in drinking water.

14 (2) Notwithstanding s. 704.02, if the landlord fails to fulfill any of the
15 requirements under sub. (1), the rental agreement for the premises is void and
16 unenforceable in its entirety.

17 **SECTION 2. Initial applicability.**

18 (1) This act first applies to rental agreements entered into on the first day of
19 the 7th month after publication.

20 (END)