



## 2009 SENATE BILL 650

March 26, 2010 – Introduced by Senators TAYLOR, LEHMAN and COGGS, cosponsored by Representatives RICHARDS and BERCEAU. Referred to Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing.

1     **AN ACT to create** 704.47 and 709.03 (form) C. 17m. of the statutes; **relating to:**  
2             requiring sellers of residential real property and landlords of residential rental  
3             property to disclose that methamphetamine has been manufactured on the  
4             property.

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***Analysis by the Legislative Reference Bureau***

Under current law, with certain exceptions, owners selling residential real property must give prospective buyers a form, known as a real estate condition report, on which the owner discloses certain conditions of the real property of which the owner is aware. This bill requires an owner to disclose on the real estate condition report whether methamphetamine has been manufactured on the property. The bill also requires a landlord of residential rental property who is aware that methamphetamine has been manufactured on the rental property to disclose to any prospective tenant in writing that methamphetamine has been manufactured on the premises.

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

5             **SECTION 1.** 704.47 of the statutes is created to read:

1           **704.47 Disclosure of methamphetamine manufacture.** (1) If a landlord  
2 of residential rental property is aware that methamphetamine has been  
3 manufactured at any time on the rental property, before entering into any rental  
4 agreement with a prospective tenant of the rental property or before the  
5 commencement of any periodic tenancy or tenancy at will with respect to the rental  
6 property, the landlord shall disclose to the prospective tenant in writing that  
7 methamphetamine was manufactured on the property.

8           (2) If the rental property contains more than one dwelling unit, the landlord  
9 is required to provide the disclosure under sub. (1) only to a prospective tenant of the  
10 dwelling unit in which the methamphetamine was manufactured.

11           **SECTION 2.** 709.03 (form) C. 17m. of the statutes is created to read:

12           **709.03 (form)**

13           C. 17m. I am aware that methamphetamine has been .... .  
14                    manufactured on the property.

15           **SECTION 3. Nonstatutory provisions.**

16           (1) REAL ESTATE CONDITION REPORT. Notwithstanding section 709.035 of the  
17 statutes, the creation of section 709.03 (form) C. 17m. of the statutes does not require  
18 a property owner who has furnished to a prospective buyer of the property an original  
19 or amended real estate condition report before the effective date of this subsection  
20 to submit an amended real estate condition report with respect to the information  
21 required by section 709.03 (form) C. 17m. of the statutes, as created by this act.

22           **SECTION 4. Initial applicability.**

23           (1) The treatment of section 709.03 (form) C. 17m. of the statutes first applies  
24 to real estate condition reports that are furnished on the effective date of this  
25 subsection.

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1 (2) The treatment of section 704.47 of the statutes first applies to tenancies and  
2 rental agreements that are entered into on the effective date of this subsection.

3 **SECTION 5. Effective date.**

4 (1) This act takes effect on January 1, 2011.

5 (END)