



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2187/1
MED:eev:jm

2013 ASSEMBLY BILL 479

November 1, 2013 – Introduced by Representatives T. LARSON, BERCEAU, BIES, BROOKS, KOLSTE, A. OTT, SPIROS and WRIGHT, cosponsored by Senator COWLES. Referred to Committee on Consumer Protection.

1 **AN ACT to amend** 254.30 (2) (a) and 254.30 (2) (b) of the statutes; **relating to:**
2 penalties for violating provisions related to lead poisoning and exposure and
3 providing a penalty.

Analysis by the Legislative Reference Bureau

Current law contains a number of provisions related to preventing and minimizing lead poisoning and lead exposure, including provisions prohibiting the sale and use of lead paint and requiring screenings for lead exposure for certain programs and institutions. Current law provides that any person who violates these provisions or rules promulgated, or orders issued, under these provisions is subject to a civil forfeiture of not less than \$100 nor more than \$1,000 and provides that each day of continued violation constitutes a separate offense. This bill increases the maximum amount of the civil forfeiture for such a violation from \$1,000 to \$5,000.

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

4 **SECTION 1.** 254.30 (2) (a) of the statutes is amended to read:
5 254.30 **(2)** (a) *Civil penalty.* Any person who violates ss. 254.11 to 254.178 or
6 rules promulgated, or orders issued, under those sections may be required to forfeit

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1 not less than \$100 nor more than ~~\$1,000~~ \$5,000 per violation. Each day of continued
2 violation constitutes a separate offense.

3 **SECTION 2.** 254.30 (2) (b) of the statutes is amended to read:

4 254.30 (2) (b) *Criminal penalty.* Any person who knowingly violates any
5 provision of ss. 254.11 to 254.178 or any rule promulgated, or order issued, under
6 those sections shall be fined not less than \$100 nor more than \$5,000 per violation.
7 The court may place the person on probation under s. 973.09 for a period not to exceed
8 2 years.

9 **SECTION 3. Initial applicability.**

10 (1) This act first applies to violations of sections 254.11 to 254.178 of the
11 statutes or rules promulgated, or orders issued, under those sections that occur on
12 the effective date of this subsection.

13 (END)