



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-5465/1  
SWB:amn

## 2017 SENATE BILL 855

February 28, 2018 - Introduced by Senators JOHNSON, L. TAYLOR, CARPENTER, RISSER and LARSON, cosponsored by Representatives C. TAYLOR, BROSTOFF, YOUNG, KOLSTE, BERCEAU, HESSELBEIN, ANDERSON, CROWLEY, SARGENT, SINICKI, ZEPNICK, OHNSTAD, FIELDS, SUBECK, SPREITZER and WACHS. Referred to Committee on Health and Human Services.

1     **AN ACT** *to renumber and amend* 254.168; and *to create* 254.168 (2m) of the  
2             statutes; **relating to:** testing for lead in facilities serving certain children and  
3             requiring the exercise of rule-making authority.

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

This bill requires, instead of allows, the Department of Health Services to promulgate rules requiring certain foster homes, group homes, shelter care facilities, child care providers and centers, nursery schools, kindergartens, and other facilities specifically identified by the department serving children under the age of six to have periodic lead inspections or to otherwise demonstrate that the facility does not contain a lead hazard, if any part of the facility was constructed before 1978. Additionally, under this bill, a facility required to have a lead investigation or to otherwise demonstrate that the facility does not contain a lead hazard must either notify DHS and the parents, guardians, or legal custodians of each child served by the facility of the results of the investigation or provide them materials sufficient to demonstrate that the facility does not contain a lead hazard. Under current law, the Department of Children and Families, after providing notice, may suspend, revoke, or refuse to renew or continue a license or certification for certain child care providers or child care centers in any case in which DCF finds that there has been a substantial failure to comply with certain rules, including the periodic lead investigation requirements promulgated by DHS.

