

# State of Wisconsin



1999 Assembly Bill 314

Date of enactment: **May 12, 2000**  
Date of publication\*: **May 26, 2000**

## 1999 WISCONSIN ACT 160

AN ACT to *repeal and recreate* 95.195 of the statutes; **relating to:** implied warranties concerning disease status of animals and granting rule-making authority.

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

**SECTION 1.** 95.195 of the statutes is repealed and recreated to read:

**95.195 Diseases; implied warranty in sale of animals.** (1) **DEFINITION.** In this section, "covered disease" means a disease that the department specifies under sub. (4) (a) is covered by this section.

(2) **WARRANTY.** Except as provided in sub. (3), in every contract for the sale of an animal of a type specified by the department under sub. (4) (b), there is an implied warranty that the animal is not infected with a covered disease unless the seller discloses to the buyer in writing, prior to sale, all of the following:

(a) The management classification of the animal's herd with respect to the covered disease.

(b) If the animal is a reactor with respect to the covered disease, that the animal is a reactor.

(3) **EXCEPTION.** The warranty under sub. (2) does not apply to an animal sold directly to slaughter.

(4) **RULES.** The department shall promulgate rules that do all of the following:

(a) Specify covered diseases.

(b) Specify types of animals to which this section applies.

(c) Prescribe a system for determining management classifications of herds with respect to covered diseases.

**SECTION 2. Effective date.**

(1) This act takes effect on July 1, 2000.

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\* Section 991.11, WISCONSIN STATUTES 1997-98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].