

1983 Assembly Bill 630

Date of enactment: **April 23, 1984**
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1983 Wisconsin Act 353

AN ACT to create 94.708 of the statutes, relating to sale and use of pesticides to control bats, granting rule-making authority and providing a penalty.

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

SECTION 1. 94.708 of the statutes is created to read:

94.708 Pesticides; sale and use to control bats. (1) **DEFINITION.** As used in this section, “bat control purposes” means for the purpose of killing, injuring, repelling or otherwise affecting the behavior of bats.

(2) **SALE PROHIBITED.** Except as provided under sub. (4), no person may sell, hold for sale or distribute any pesticide except naphthalene for bat control purposes to a person in this state. No dealer may advertise in this state or recommend any pesticide for bat control purposes to a person in this state.

(3) **USE PROHIBITED.** Except as provided under sub. (4), no person may use any pesticide except naphthalene for bat control purposes.

(4) **EXCEPTION.** The department shall promulgate rules establishing standards for the sale, advertisement and use of pesticides for emergency bat control. The pesticide review board may issue a permit authorizing the use of a pesticide in accordance with the rules promulgated by the department only in the case of an individual bat colony after a determination that there exists an outbreak of rabies that threatens public health or another situation where the existence of a colony of bats threatens the health or welfare of any person. The pesticide review board may not base its determination on an isolated individual instance of a rabid bat.
