

SENATE BILL 271 (LRB -1837)

An Act to create 20.115 (1) (ip), 100.335 and 814.75 (1d) of the statutes; relating to: prohibiting the manufacture and sale at wholesale of certain baby bottles and cups for children that contain bisphenol A, creating labeling requirements, making an appropriation, and providing penalties. (FE)

2009

08-21.	S.	Introduced by Senators Lassa, Carpenter, Kapanke, Hansen, Wirch, Lehman, Robson, Risser and Taylor ; cosponsored by Representatives Roys, Molepske Jr., Mason, Benedict, Brooks, Berceau, Hubler, Cullen, Milroy, Pasch, Turner, Black, Jorgensen, Parisi, Steinbrink, Vruwink, Danou, Soletski, Richards, Spanbauer and Clark .	
08-21.	S.	Read first time and referred to committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection	265
09-09.	S.	Fiscal estimate received.	
11-10.	S.	Public hearing held.	
11-12.	S.	Fiscal estimate received.	
11-18.	S.	Fiscal estimate received.	

2010

01-14.	S.	Senate substitute amendment 1 offered by Senator Lassa (LRB s0225)	482
01-20.	S.	Executive action taken.	
01-20.	S.	Report introduction and adoption of Senate Amendment 1 to Senate Substitute Amendment 1 recommended by committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection, Ayes 5, Noes 0 (LRB a1324)	492
01-20.	S.	Report adoption of Senate Substitute Amendment 1 recommended by committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection, Ayes 5, Noes 0	492
01-20.	S.	Report passage as amended recommended by committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection, Ayes 5, Noes 0	492
01-20.	S.	Available for scheduling.	
01-25.	S.	Referred to joint committee on Finance by committee on Senate Organization pursuant to Senate Rule 41 (1)(e)	504
01-25.	S.	Withdrawn from joint committee on Finance and made Available for Scheduling by committee on Senate Organization pursuant to Senate Rule 41 (1)(e)	504
01-25.	S.	Placed on calendar 1-26-2010 by committee on Senate Organization	504
01-26.	S.	Senator Miller added as a coauthor	509
01-26.	S.	Read a second time	510
01-26.	S.	Senate amendment 1 to Senate substitute amendment 1 adopted	510
01-26.	S.	Senate substitute amendment 1 adopted	510
01-26.	S.	Ordered to a third reading	510
01-26.	S.	Rules suspended	510
01-26.	S.	Read a third time and passed , Ayes 33, Noes 0	510
01-26.	S.	Ordered immediately messaged	511
01-26.	A.	Received from Senate	601
01-26.	A.	Read first time and referred to committee on Rules	601
02-10.	A.	Placed on calendar 2-16-2010 by committee on Rules.	
02-16.	A.	Read a second time	658
02-16.	A.	Ordered to a third reading	658
02-16.	A.	Rules suspended	658
02-16.	A.	Read a third time and concurred in , Ayes 95, Noes 2	658
02-16.	A.	Representative Hilgenberg added as a cosponsor	658
02-16.	A.	Ordered immediately messaged	658
02-17.	S.	Received from Assembly concurred in.	

JP

2009
ENROLLED BILL

09en S B- 271

ADOPTED DOCUMENTS:

Orig Engr S SubAmdt 1 09S 0225/2

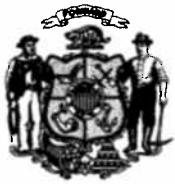
Amendments to above (if none, write "NONE"): SA1 - a 1324/1

Corrections - show date (if none, write "NONE"): NONE

Topic Rel

2-17-2010
Date

[Signature]
Enrolling Drafter



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBs0225/2
CTS:jld&wlj:rs

SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 SENATE BILL 271

January 14, 2010 - Offered by Senator LASSA.

1 **AN ACT to create** 20.115 (1) (ip), 100.335 and 814.75 (1d) of the statutes; **relating**
2 **to:** prohibiting the manufacture and sale at wholesale or retail of certain baby
3 bottles and cups for children that contain bisphenol A, creating labeling
4 requirements, making an appropriation, and providing penalties.

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

5 **SECTION 1.** 20.115 (1) (ip) of the statutes is created to read:

6 20.115 (1) (ip) *Bisphenol A enforcement.* All moneys received under s. 100.335
7 (7), for enforcement and administration of s. 100.335.

8 **SECTION 2.** 100.335 of the statutes is created to read:

9 **100.335 Child's containers containing bisphenol A.** (1) In this section,
10 "child's container" means an empty baby bottle or spill-proof cup primarily intended
11 by the manufacturer for use by a child ~~1~~ years of age or younger.

INSERT SAI-1

1 (2) No person may manufacture or sell, or offer for sale, at wholesale in this
2 state a child's container that contains bisphenol A. A manufacturer or wholesaler
3 who sells or offers for sale in this state a child's container that is intended for retail
4 sale shall ensure the container is conspicuously labeled as not containing bisphenol
5 A. A manufacturer or wholesaler who sells or offers for sale in this state a child's
6 container that is not intended for retail sale shall do one of the following:

7 (a) Ensure that the container is conspicuously labeled as not containing
8 bisphenol A.

9 (b) Confirm to the buyer that the container does not contain bisphenol A.

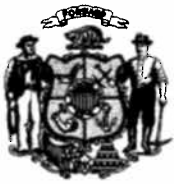
10 (3) No person may sell, or offer for sale, at retail in this state a child's container
11 that contains bisphenol A. A person who sells or offers for sale at retail in this state
12 a child's container shall ensure the container is conspicuously labeled as not
13 containing bisphenol A.

14 (4) (a) The department may commence an action in the name of the state to
15 restrain by temporary or permanent injunction a violation of this section.

16 (b) The department or a district attorney may commence an action in the name
17 of the state to recover a forfeiture to the state of not less than \$100 nor more than
18 \$10,000 for each violation of sub. (2). A person who violates sub. (2) may be fined not
19 more than \$5,000 or imprisoned for not more than one year in the county jail or both.

20 (c) The department or a district attorney may commence an action in the name
21 of the state to recover a forfeiture to the state of not less than \$50 nor more than \$200
22 for each violation of sub. (3).

23 (d) For purposes of this subsection, each child's container manufactured, sold,
24 or offered for sale in violation of this section constitutes a separate violation.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBa1324/1
CTS:bjk&nwn:rs

**SENATE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2009 SENATE BILL 271**

January 20, 2010 – Offered by COMMITTEE ON SMALL BUSINESS, EMERGENCY
PREPAREDNESS, TECHNICAL COLLEGES, AND CONSUMER PROTECTION.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 1, line 11: delete “5” and substitute “3”.

3 (END)

A handwritten box containing the text "SAI-1". A curved line starts from the top of the box and points to the number "1" in the amendment list above.