

**ASSEMBLY BILL 842 (LRB -4392)**

An Act to create 100.383 of the statutes; relating to: requiring bittering agents in certain engine coolants and antifreeze and providing a penalty. (FE)

**2010**

- 03-11. A. Introduced by Representatives **Sinicki, Benedict, Berceau, Fields, Mason, Milroy, Pope-Roberts and Zepnick**; cosponsored by Senators **Plale, Miller, Risser, Carpenter, Lassa and Schultz**. 747
- 03-11. A. Read first time and referred to committee on Consumer Protection ..... 747
- 04-07. A. Public hearing held.
- 04-13. A. Fiscal estimate received.
- 04-13. A. Executive action taken.
- 04-16. A. Report passage recommended by committee on Consumer Protection, Ayes 8, Noes 1 ..... 874
- 04-16. A. Referred to Calendar ..... 874
- 04-20. A. Read a second time.
- 04-20. A. Assembly amendment 1 offered by Representative Sinicki (**LRB a2456**).
- 04-20. A. **Assembly amendment 1 adopted.**
- 04-20. A. Ordered to a third reading.
- 04-20. A. Rules suspended.
- 04-20. A. Read a third time and **passed**, Ayes 81, Noes 17.
- 04-20. A. Ordered immediately messaged.
- 04-21. S. Received from Assembly.
- 04-21. S. Read first time and referred to committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection.
- 04-22. S. Rules suspended to withdraw from committee on Small Business, Emergency Preparedness, Technical Colleges, and Consumer Protection and take up.
- 04-22. S. Read a second time.
- 04-22. S. Ordered to a third reading.
- 04-22. S. Rules suspended.
- 04-22. S. Read a third time and **concurred in**.
- 04-22. S. Ordered immediately messaged.
- 04-22. A. Received from Senate concurred in.

*SB/MB*

**2009**  
**ENROLLED BILL**

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**ADOPTED DOCUMENTS:**

Orig     Engr         SubAmdt     

09-4392/1

Amendments to above (if none, write "NONE"):

AA1 - a 2456/1

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

None

Topic

Rel

4-27-10

Date

J. R. Miller

Enrolling Drafter



## 2009 ASSEMBLY BILL 842

March 11, 2010 - Introduced by Representatives SINICKI, BENEDICT, BERCEAU, FIELDS, MASON, MILROY, POPE-ROBERTS and ZEPNICK, cosponsored by Senators PLALE, MILLER, RISSER, CARPENTER, LASSA and SCHULTZ. Referred to Committee on Consumer Protection.

- 1 **AN ACT** *to create* 100.383 of the statutes; **relating to:** requiring bittering agents  
2 in certain engine coolants and antifreeze and providing a penalty.

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### *Analysis by the Legislative Reference Bureau*

This bill requires that engine coolant or antifreeze that is sold within this state and that contains more than 10 percent ethylene glycol also contain, as a bittering agent, denatonium benzoate in a concentration between 30 and 50 parts per million. Under the bill, a manufacturer of such engine coolant or antifreeze must maintain a record of the trade name, scientific name, and active ingredients of any bittering agent used in the engine coolant or antifreeze, and must make the record available to the public upon request.

The bill exempts a manufacturer, processor, distributor, recycler, or seller of an engine coolant or antifreeze from liability for any personal injury, death, property damage, environmental damage, or economic loss caused by the inclusion of denatonium benzoate in the engine coolant or antifreeze, if the denatonium benzoate is present in a concentration required in the bill. The provisions of the bill do not apply to the sale of a motor vehicle that contains engine coolant or antifreeze or to antifreeze sold in containers with a capacity of 55 gallons or more.

A person who violates the provisions of the bill is subject to up to 90 days imprisonment, a fine up to \$1,500, or both.

**ASSEMBLY BILL 842**

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

1 SECTION 1. 100.383 of the statutes is created to read:

2 **100.383 Antifreeze; bittering required.** (1) Any engine coolant or  
3 antifreeze that is sold within this state and that contains more than 10 percent  
4 ethylene glycol, shall contain, as a bittering agent, denatonium benzoate in a  
5 concentration of not less than 30 parts per million nor more than 50 parts per million.

6 (2) A manufacturer of an engine coolant or antifreeze described in sub. (1) shall  
7 maintain a record of the trade name, scientific name, and active ingredients of any  
8 bittering agent used in the engine coolant or antifreeze, and shall make the record  
9 available to the public upon request.

10 (3) Notwithstanding s. 100.38, a manufacturer, processor, distributor, recycler,  
11 or seller of an engine coolant or antifreeze that is described in sub. (1) is not liable  
12 to any person for any personal injury, death, property damage, environmental  
13 damage, or economic loss caused by the inclusion of denatonium benzoate in the  
14 engine coolant or antifreeze, if the denatonium benzoate is present in a concentration  
15 required in sub. (1).

INS,  
AAI-1

16 (4) This section does not apply to the sale of a motor vehicle that contains  
17 engine coolant or antifreeze or to antifreeze sold in containers with a capacity of 55  
18 gallons or more.

19 (5) A person who violates this section may be imprisoned in the county jail for  
20 not more than 90 days or fined not more than \$1,500 or both.

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**ASSEMBLY AMENDMENT 1,  
TO 2009 ASSEMBLY BILL 842**

April 20, 2010 - Offered by Representative SINICKI.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 13: after "damage," insert "including damage to natural  
3 resources,".

4 **2.** Page 2, line 20: after that line insert:

5 "SECTION 2. Effective date.

6 (1) This act takes effect on January 1, 2012."

7

(END)

AA1-1

AA1-2