



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2011 Wisconsin Act 134
[2011 Senate Bill 199]

**Private Sewage System
Maintenance Programs**

The Department of Safety and Professional Services is required to establish a maintenance program for private sewage systems, to be implemented by certain local units of government.¹ Implementation of the maintenance program is a prerequisite for local government participation in a state program that makes grant funds available for updates to aging sewer systems.² [ss. 145.20 (5) (a) and 145.245 (9) (a), Stats.] Local governments are not yet required to implement the maintenance program but must do so prior to the deadlines discussed below.

Under prior law, local units of government were required to adopt and begin administering the maintenance program for private sewage systems before **October 1, 2015**. In addition, they were required to complete inventories of the private sewage systems within their jurisdictions before **October 1, 2013**.

2011 Wisconsin Act 134 delays the date by which the local units of government must implement the maintenance program and conduct inventories of private sewage systems, to **October 1, 2019**, and **October 1, 2017**, respectively.

Effective date: Act 134 takes effect on April 5, 2012.

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¹ The requirements apply to “governmental units responsible for the regulation of private sewage systems.” [s. 145.01 (5), Stats.] Except in Milwaukee County, counties are the responsible governmental units. In Milwaukee County, cities, villages, and towns perform the functions performed by county governing bodies in other counties.

² The program is codified in the former Department of Commerce’s administrative rules chapter, at s. Comm 83.255, Wis. Adm. Code. 2011 Wisconsin Act 32, the 2011-13 Biennial Budget Act, created the new Department of Safety and Professional Services and transferred Commerce department responsibilities relating to private sewerage systems to the new department.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.