

# State of Wisconsin



2013 Senate Bill 344

Date of enactment: **April 16, 2014**  
Date of publication\*: **April 17, 2014**

## 2013 WISCONSIN ACT 304

AN ACT *to amend* 709.03 (form) C. 8. and 709.033 (form) C. 9.; and *to create* 709.03 (form) C. 9m. and 709.033 (form) C. 9m. of the statutes; **relating to:** disclosing ownership of a dam to prospective buyers of certain real property and updating disclosure reports for certain real property.

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

**SECTION 1.** 709.03 (form) C. 8. of the statutes is amended to read:  
**709.03** (form)

C. 8. I am aware of underground or aboveground fuel storage tanks on the property. (If “yes”, “yes,” the owner, by law, may have to register the tanks with the ~~department Wisconsin Department of safety Agriculture. Trade and professional services Consumer Protection~~ at P.O. Box ~~7970 8911~~, Madison, Wisconsin, ~~53707 53708~~, whether the tanks are in use or not. Regulations of the ~~department Wisconsin Department of safety Agriculture. Trade and professional services Consumer Protection~~ may require the closure or removal of unused tanks. ....

**SECTION 2.** 709.03 (form) C. 9m. of the statutes is created to read:  
**709.03** (form)

C. 9m. I am aware that a dam is totally or partially located on the property or that an ownership in a dam that is not located on the property will be transferred with the property because it is owned collectively by members of a homeowners association, lake district, or similar group. (If “yes,” contact the Wisconsin Department of Natural Resources to find out if dam transfer requirements or agency orders apply.) ....

\* Section 991.11, WISCONSIN STATUTES: 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.”

SECTION 3. 709.033 (form) C. 9. of the statutes is amended to read:  
709.033 (form)

C. 8. I am aware of underground storage tanks presently or previously on the property for storage of flammable or combustible liquids, including, but not limited to, gasoline or heating oil. (If “yes”, “yes.” the owner, by law, may have to register the tanks with the Wisconsin Department of Safety Agriculture, Trade and Professional Services Consumer Protection at P.O. Box 7970 8911, Madison, Wisconsin, 53707 53708, whether the tanks are in use or not. Regulations of the Wisconsin Department of Safety Agriculture, Trade and Professional Services Consumer Protection may require the closure or removal of unused tanks. ....

SECTION 4. 709.033 (form) C. 9m. of the statutes is created to read:  
709.033 (form)

C. 9m. I am aware that a dam is totally or partially located on the property or that an ownership interest in a dam not located on the property will be transferred with the property because it is owned collectively by members of a homeowners association, lake district, or similar group. (If “yes,” contact the Wisconsin Department of Natural Resources to find out if dam transfer requirements or agency orders apply.) ....

**SECTION 5. Nonstatutory provisions.**

(1) REAL ESTATE CONDITION AND VACANT LAND DISCLOSURE REPORTS. Notwithstanding section 709.035 of the statutes, the creation of sections 709.03 (form) C. 9m. and 709.033 (form) C. 9m. of the statutes does not require a property owner who has furnished to a prospective buyer of the property an original or amended report before the effective date of this subsection to submit an amended report with respect to the information required by section 709.03 (form) C. 9m. of the statutes, as created

by this act, or by section 709.033 (form) C. 9m. of the statutes, as created by this act.

**SECTION 6. Initial applicability.**

(1) The treatment of sections 709.03 (form) C. 8. and 9m. and 709.033 (form) C. 9. and 9m. of the statutes first applies to reports that are furnished on the effective date of this subsection.

**SECTION 7. Effective date.**

(1) This act takes effect on July 1, 2014.

