



2013 SENATE BILL 139

April 10, 2013 – Introduced by Senators VINEHOUT, CARPENTER, T. CULLEN, HARRIS, LASSA, LEHMAN, MILLER, WIRCH and ERPENBACH, cosponsored by Representatives DANOU, HULSEY, BARNES, BERCEAU, CLARK, GENRICH, GOYKE, OHNSTAD, SHANKLAND, C. TAYLOR and WACHS. Referred to Committee on Workforce Development, Forestry, Mining, and Revenue.

1 **AN ACT** *to create* 709.03 (form) C. 25m. and 709.033 (form) C. 17m. of the
2 statutes; **relating to:** disclosure of contracts for frac sand mining on
3 neighboring properties.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, owners selling residential real property or vacant land must give prospective buyers a form, known as a real estate condition report for residential real property and as the vacant land disclosure report for vacant land, on which the owner discloses certain conditions of, and other information about, the real property of which the owner is aware. This bill requires an owner to disclose on the applicable report whether the owner has notice or knowledge of a contract, or an option to contract, that allows a person to mine frac sand on a neighboring property.

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

4 **SECTION 1.** 709.03 (form) C. 25m. of the statutes is created to read:
5 **709.03** (form)

SENATE BILL 139

1 C. 25m. I am aware of a contract, or an option to con-
 2 tract, that allows a person to mine frac sand
 3 on a neighboring property.

4 **SECTION 2.** 709.033 (form) C. 17m. of the statutes is created to read:
 5 **709.033** (form)

6 C. 17m. I am aware of a contract, or an option to con-
 7 tract, that allows a person to mine frac sand
 8 on a neighboring property.

SECTION 3. Nonstatutory provisions.

(1) REAL ESTATE CONDITION AND VACANT LAND DISCLOSURE REPORTS.

11 Notwithstanding section 709.035 of the statutes, the creation of sections 709.03
 12 (form) C. 25m. and 709.033 (form) C. 17m. of the statutes does not require a property
 13 owner who has furnished to a prospective buyer of the property an original or
 14 amended report before the effective date of this subsection to submit an amended
 15 report with respect to the information required by section 709.03 (form) C. 25m. or
 16 709.033 (form) C. 17m. of the statutes, as created by this act.

SECTION 4. Initial applicability.

18 (1) The treatment of sections 709.03 (form) C. 25m. and 709.033 (form) C. 17m.
 19 of the statutes first apply to reports that are furnished on the effective date of this
 20 subsection.

(END)