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**WISCONSIN LEGISLATIVE COUNCIL  
AMENDMENT MEMO**

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<b>2015 Senate Bill 178</b>	<b>Senate Substitute Amendment 1</b>
<i>Memo published:</i> November 6, 2015	<i>Contact:</i> Brian Larson, Staff Attorney (266-0680)

### **2015 SENATE BILL 178**

Under current law, the Department of Health Services (DHS) is authorized to promulgate rules establishing procedures for lead investigations of dwellings and premises. Among the rules promulgated by DHS are rules requiring inspectors to be certified for lead inspection when testing for the presence of lead-bearing paint. In addition, current statutes provide that lead sampling or testing is not required if the presence of lead in a dwelling or premises is assumed and lead hazard reduction activities are performed in a lead-safe manner.

Under the bill, if the presence of lead-bearing paint or a lead hazard is assumed and a renovation of a dwelling or premises is performed in a lead-safe manner, any person who performs *sampling or testing* of a surface in the dwelling or premises relating to that renovation is not required to comply with any requirements established by DHS for a lead inspection.

### **SENATE SUBSTITUTE AMENDMENT 1 TO 2015 SENATE BILL 178**

The substitute amendment provides that the bill will apply when a *partial lead inspection* is performed, instead of when sampling or testing of a surface is performed, in relation to the renovation. The term partial lead inspection is defined as an on-site investigation of one or more painted, varnished, or otherwise coated building components to determine the presence of lead, but not a surface-to-surface investigation.

In addition, the substitute amendment provides that a person who performs a partial lead inspection must disclose it, in writing, to the owner or lessor of the dwelling or premises.

**BILL HISTORY**

The substitute amendment was offered by Senator Harsdorf on October 8, 2015. On October 21, 2015, the Senate Committee on Public Benefit and Regulatory Reform recommended adoption of the substitute amendment on a vote of Ayes, 5; Noes, 0; and recommended passage of the bill, as amended, on a vote of Ayes, 3; Noes, 2.

BL:jal