

# State of Wisconsin



2007 Senate Bill 327

Date of enactment: **March 13, 2008**

Date of publication\*: **March 27, 2008**

## 2007 WISCONSIN ACT 91

AN ACT *to repeal* 254.11 (8r); and *to amend* 49.46 (2) (b) 13., 254.11 (8u), 254.15 (1), 254.151 (2), 254.164 (4), 254.166 (2) (b) and 254.168 (intro.) of the statutes; **relating to:** replacing the term lead inspection with the term lead investigation with respect to the level of lead in certain premises (suggested as remedial legislation by the Department of Health and Family Services).

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

**SECTION 1.** 49.46 (2) (b) 13. of the statutes is amended to read:

49.46 (2) (b) 13. Care coordination and follow-up, including lead investigations, as defined in s. 254.11 (8s), of persons having lead poisoning or lead exposure, as defined in s. 254.11 (9), ~~including lead inspections.~~

**SECTION 2.** 254.11 (8r) of the statutes is repealed.

**SECTION 3.** 254.11 (8u) of the statutes is amended to read:

254.11 (8u) "Lead management activity" means a lead ~~inspection~~ investigation or the design or management of lead hazard reduction.

**SECTION 4.** 254.15 (1) of the statutes is amended to read:

254.15 (1) Develop and implement a comprehensive statewide lead poisoning or lead exposure prevention and treatment program that includes lead poisoning or lead exposure prevention grants under s. 254.151; any childhood lead poisoning screening requirement under rules promulgated under ss. 254.158 and 254.162; any requirements regarding care coordination and follow-up for children with lead poisoning or lead exposure required

under rules promulgated under s. 254.164; responses to reports of lead poisoning or lead exposure under s. 254.166; any lead investigation requirements under rules promulgated under ss. 254.167; ~~any lead inspection requirements under rules promulgated under~~ and 254.168; any lead hazard reduction requirements under rules promulgated under s. 254.172; certification, accreditation and approval requirements under ss. 254.176 and 254.178; any certification requirements and procedures under rules promulgated under s. 254.179; and any fees imposed under s. 254.181.

**SECTION 5.** 254.151 (2) of the statutes is amended to read:

254.151 (2) To fund lead poisoning or lead exposure screening, care coordination and follow-up services, including lead ~~inspections~~ investigations, to children under age 6 who are not covered by a 3rd-party payer.

**SECTION 6.** 254.164 (4) of the statutes is amended to read:

254.164 (4) A lead ~~inspection~~ investigation of all or part of the child's dwelling or other dwellings or premises that may have contributed to the child's lead poisoning or lead exposure.

**SECTION 7.** 254.166 (2) (b) of the statutes is amended to read:

\* Section 991.11, WISCONSIN STATUTES 2005-06 : 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 as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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254.166 (2) (b) Inform the local health officer of the results of the lead ~~inspection~~ investigation and provide recommendations to reduce or eliminate the lead hazard.

**SECTION 8.** 254.168 (intro.) of the statutes is amended to read:

**254.168 Lead ~~inspections~~ investigations of facilities serving children under 6 years of age.** (intro.) Sub-

ject to the limitation under s. 254.174, the department may promulgate rules that, ~~after June 30, 1998~~, require any of the following facilities to have periodic lead ~~inspections~~ investigations at intervals determined by the department or to otherwise demonstrate that the facility does not contain a lead hazard, if any part of the facility was constructed before January 1, 1978:

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