



2025 ASSEMBLY BILL 41

February 17, 2025 - Introduced by Representatives SORTWELL, ARMSTRONG, BEHNKE, DITTRICH, KREIBICH, GOEBEN, MIRESE, STROUD and WICHGERS, cosponsored by Senator JACQUE. Referred to Committee on Local Government.

1 **AN ACT** *to create* 66.04075 of the statutes; **relating to:** local regulation of
2 vegetable gardens.

Analysis by the Legislative Reference Bureau

This bill prohibits a political subdivision from requiring a permit for or prohibiting the cultivation of a vegetable or flower garden on residential property not owned by the political subdivision.

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

3 **SECTION 1.** 66.04075 of the statutes is created to read:
4 **66.04075 Vegetable and flower gardens.** (1) In this section:
5 (a) “Political subdivision” means a city, village, town, or county.
6 (b) “Vegetable garden” means a plot of ground or elevated soil bed that is
7 located on a residential property and in which any of the following are grown:
8 1. Vegetables, herbs, fruits, leafy greens, or other edible plants.

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2. Flowers.

3. Pollinator plants.

(2) A political subdivision may not require a permit for or prohibit the cultivation of a vegetable garden on property not owned by the political subdivision.

(3) This section does not affect the power of a municipality to do any of the following if the regulation does not specifically regulate vegetable gardens:

(a) Enact a zoning ordinance.

(b) Regulate the use of water or fertilizer.

(c) Control noxious weeds, as defined under s. 66.0407 (1) (b), or invasive species.

(END)