



State of Wisconsin  
2025 - 2026 LEGISLATURE

LRBb0741/1

MCP:skw

**ASSEMBLY AMENDMENT 14,  
TO ASSEMBLY SUBSTITUTE AMENDMENT 2,  
TO ASSEMBLY BILL 50**

July 2, 2025 - Offered by Representatives ARNEY, ANDERSON, ANDRACA, BARE, BILLINGS, BROWN, CLANCY, CRUZ, DESANTO, DESMIDT, DOYLE, EMERSON, FITZGERALD, GOODWIN, HAYWOOD, HONG, HYSELL, J. JACOBSON, JOERS, JOHNSON, KIRSCH, MADISON, MAYADEV, MCCARVILLE, MCGUIRE, MIRESSE, MOORE OMOKUNDE, NEUBAUER, PALMERI, PHELPS, PRADO, RIVERA-WAGNER, ROE, SHEEHAN, SINICKI, SNODGRASS, SPAUDE, STROUD, STUBBS, SUBECK, TAYLOR, TENORIO, UDELL and VINING.

At the locations indicated, amend the substitute amendment as follows:

**1.** At the appropriate places, insert all of the following:

**“SECTION 1.** 13.48 (26m) of the statutes is created to read:

13.48 **(26m)** LEAD SERVICE LINE REPLACEMENT. The legislature finds and determines that the prevalence of lead service lines in connections to public water systems poses a public health hazard and that processes for reducing lead entering drinking water from such pipes requires additional treatment of wastewater. It is therefore in the public interest, and it is the public policy of this state, to assist private users of public water systems in replacing lead service lines.

**SECTION 2.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

<b>2025-26</b>	<b>2026-27</b>
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**20.320 Environmental improvement program**

## (2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS

(a) Lead service line replacement	GPR	C	200,000,000	-0-
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**20.370 Natural resources, department of**

## (4) ENVIRONMENTAL MANAGEMENT

(pf) General program operations —

PFAS; general fund	GPR	C	4,000,000	-0-
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(pq) General program operations —

PFAS innocent landowner

remediation	SEG	C	5,000,000	-0-
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**SECTION 3.** 20.320 (2) (a) of the statutes is created to read:

20.320 (2) (a) *Lead service line replacement.* As a continuing appropriation, the amounts in the schedule for lead service line replacement loans under s. 281.61

(8) (b).

**SECTION 4.** 20.370 (4) (pf) of the statutes is created to read:

20.370 (4) (pf) *General program operations — PFAS; general fund.* As a continuing appropriation, from the general fund, the amounts in the schedule for addressing and preventing perfluoroalkyl and polyfluoroalkyl substances contamination in this state.

**SECTION 5.** 20.370 (4) (pq) of the statutes is created to read:

20.370 (4) (pq) *General program operations — PFAS innocent landowner remediation.* As a continuing appropriation, from the environmental fund, the

amounts in the schedule for actions taken under s. 292.31 to address and prevent perfluoroalkyl and polyfluoroalkyl substances contamination in this state.

**SECTION 6.** 92.14 (18) of the statutes is created to read:

92.14 (18) PFAS MONITORING. As part of any statewide monitoring program, sampling program, or survey conducted by the department, any samples that are collected and tested shall also, at the department's discretion and where appropriate, be tested for the presence of any perfluoroalkyl or polyfluoroalkyl substance.

**SECTION 7.** 160.07 (5) of the statutes is renumbered 160.07 (5) (a) and amended to read:

160.07 (5) (a) ~~Within~~ Except as provided under par. (b), within 9 months after transmitting the name of a substance to the department of health services under sub. (2), the department of natural resources shall propose rules establishing the recommendation of the department of health services as the enforcement standard for that substance and publish the notice required under s. 227.16 (2) (e), 227.17 or 227.24 (3).

**SECTION 8.** 160.07 (5) (b) of the statutes is created to read:

160.07 (5) (b) Within 3 months after receiving a recommended enforcement standard for a perfluoroalkyl or polyfluoroalkyl substance from the department of health services under sub. (3), the department of natural resources shall prepare a statement of scope under s. 227.135 of proposed rules that establish the recommendation of the department of health services as the enforcement standard for that substance.

**SECTION 9.** 227.139 (5) of the statutes is created to read:

227.139 (5) This section does not apply to a proposed rule of the department of natural resources establishing acceptable levels and standards, performance standards, enforcement standards and preventative action limits, monitoring requirements, and required response actions for any perfluoroalkyl or polyfluoroalkyl substance or group or class of such substances in groundwater, drinking water, surface water, air, soil, or sediment.

**SECTION 10.** 227.19 (7) of the statutes is amended to read:

227.19 (7) NONAPPLICATION. This section does not apply to rules promulgated under s. 227.24, or to rules proposed by the department of natural resources establishing acceptable levels and standards, performance standards, enforcement standards and preventative action limits, monitoring requirements, and required response actions for any perfluoroalkyl or polyfluoroalkyl substance or group or class of such substances in groundwater, drinking water, surface water, air, soil, or sediment.

**SECTION 11.** 227.26 (5) of the statutes is created to read:

227.26 (5) This section does not apply to a proposed rule of the department of natural resources establishing acceptable levels and standards, performance standards, enforcement standards and preventative action limits, monitoring requirements, and required response actions for any perfluoroalkyl or polyfluoroalkyl substance or group or class of such substances in groundwater, drinking water, surface water, air, soil, or sediment.

**SECTION 12.** 281.61 (6) of the statutes is amended to read:

281.61 (6) PRIORITY LIST. The department shall establish a priority list that ranks each safe drinking water loan program project. The department shall promulgate rules for determining project rankings that, to the extent possible, give priority to projects that address the most serious risks to human health, that are necessary to ensure compliance with the Safe Drinking Water Act, 42 USC 300f to 300j-26, and that assist applicants that are most in need on a per household basis, according to affordability criteria specified in the rules. For the purpose of ranking projects under this subsection, the department shall treat a project to upgrade a public water system to provide continuous disinfection of the water that it distributes as if the public water system were a surface water system that federal law requires to provide continuous disinfection. For the purpose of ranking projects under this subsection, if the department of health services has recommended an enforcement standard for a perfluoroalkyl or polyfluoroalkyl substance, the department of natural resources shall treat a project relating to that perfluoroalkyl or polyfluoroalkyl substance as if a maximum contaminant level for that substance has been attained or exceeded.

**SECTION 13.** 281.61 (8) (b) of the statutes is created to read:

281.61 (8) (b) The department of administration shall allocate the amount appropriated under s. 20.320 (2) (a) to projects involving forgivable loans to private users of public water systems to replace lead service lines.

**SECTION 14.** 281.79 of the statutes is created to read:

**281.79 Negotiations for alternate source of water due to PFAS contamination. (1) DEFINITIONS.** In this section:

(a) “Municipality” means a city, village, town, county, utility district, lake protection district, sewerage district, or municipal airport.

(b) “Private water supply” has the meaning given in s. 281.77 (1) (a).

**(2) MEDIATION.** A municipality that contains private water supplies that have been contaminated by a perfluoroalkyl or polyfluoroalkyl substance in excess of a state or federal drinking water standard, a state groundwater standard, or a public health recommendation from the department of health services under s. 160.07 may request that the department appoint a mediator to assist in negotiations for the supply of an alternate source of water provided by or connected to a water supply located within another municipality. The department may not appoint a mediator under this section unless the department receives written consent from both municipalities. A person responsible under s. 292.11 (3), if any, may participate in negotiations. The department shall promulgate rules to implement this section, including rules for the allocation of the cost of the mediator.

**SECTION 15.** 283.31 (4) (g) of the statutes is created to read:

283.31 (4) (g) That, if the permit allows for the land application of sewage sludge, the permittee shall, before first applying sludge and at least once per year thereafter, sample and test the sludge for all perfluoroalkyl or polyfluoroalkyl substances for which there is a state or federal standard, a public health recommendation from the department of health services under s. 160.07, or a health advisory issued by the federal environmental protection agency. The permittee shall, before applying sludge to land in any year, report the sampling and testing results to the department and to the property owner of each tax parcel upon

which sludge will be applied. The sampling and testing required under this paragraph shall be in addition to any sampling and testing otherwise required under the permit.

**SECTION 16.** 283.31 (4) (h) of the statutes is created to read:

283.31 (4) (h) That, if the permittee is a treatment work, the permittee will test all sewage sludge for the presence of perfluoroalkyl or polyfluoroalkyl substances and report the testing results to the department.

**SECTION 17.** 292.11 (8m) of the statutes is created to read:

292.11 (8m) SITE-SPECIFIC STANDARDS. If no standard exists for a hazardous substance, the person responsible under sub. (3) shall propose site-specific environmental standards for department approval for the actions required under this chapter and rules promulgated under this chapter.

**SECTION 18.** 292.11 (9) (g) of the statutes is created to read:

292.11 (9) (g) 1. In this paragraph, "PFAS" means a perfluoroalkyl or polyfluoroalkyl substances for which there is a state or federal standard, a public health recommendation from the department of health services under s. 160.07, or a health advisory issued by the federal environmental protection agency.

2. Except as provided in subd. 3, a person who possesses or controls property where a PFAS discharge occurred is exempt from subs. (3), (4), and (7) (b) and (c) for the PFAS discharge if all of the following apply:

- a. The property is exclusively used for agricultural use or residential use.
- b. The discharge was caused by land application of sludge permitted under ch. 283.
- c. The person who possesses or controls the property where the PFAS

discharge occurred agrees to allow the department, any authorized representatives of the department, any party that possessed or controlled the PFAS or caused the discharge of the PFAS, and any consultant or contractor of such a party to enter the property to take action to respond to the discharge.

d. The person who possesses or controls the property where the PFAS discharge occurred does not interfere with any action taken in response to the discharge and does not take any action that worsens or contributes to the PFAS discharge.

e. The person who possesses or controls the property where the PFAS discharge occurred follows any other condition that the department determines is reasonable and necessary to ensure that the department or other person described in subd. 2. c. is able to adequately respond to the discharge, including taking action necessary to protect human health, safety, or welfare or the environment, taking into consideration the current or intended use of the property.

f. The person who possesses or controls the property where the PFAS discharge occurred allows the department to limit public access to the property if the department determines such limitation of access is necessary to prevent an imminent threat to human health, safety, or welfare or to the environment.

3. a. The exemption under subd. 2. does not apply to any substances other than PFAS.

b. The exemption under subd. 2. does not apply if the person that possesses or controls the property where the PFAS discharge occurred takes action that worsens or contributes to the PFAS discharge.

4. A person who is exempt from subs. (3), (4), and (7) (b) and (c) pursuant to



subd. 2. shall provide written disclosure to any prospective purchaser of the property, either through sale or land contract, before entering into a contract and to prospective tenants of the property, including agricultural and residential tenants before entering into a lease agreement. Written disclosure shall be provided to any current tenants as soon as reasonably practicable and upon any reissuance or renewal of a lease. Written disclosure shall include, at a minimum, a description of the type of contamination, the location and description of any action taken to control or treat the contamination, PFAS sample dates and results, and a description of compliance with reporting required under sub. (2). A copy of the disclosure shall be provided to the department upon request.

5. The exemption under subd. 2 may not be transferred to a subsequent owner of the property on which the PFAS discharge occurred. Each person that possesses or controls the property where the PFAS discharge occurred must establish eligibility for the exemption under subd. 2.

6. A person may submit to the department information supporting that the person satisfies the requirements of subd. 2. The department shall issue a written determination that a person who possesses or controls property where the PFAS discharge occurred is exempt from subs. (3), (4), and (7) (b) and (c) if the person satisfies the requirements in subd. 2. The department may request additional information before issuing a determination. The department may revoke its determination if it determines that any of the requirements of subd. 2 cease to be met. The department may, in accordance with rules that it promulgates, assess and collect fees to offset the costs of issuing determinations under this subdivision.

7. The exemption under subd. 2. does not apply after December 31, 2035.

**SECTION 19.** 292.11 (14) of the statutes is created to read:

292.11 (14) DETERMINATION OF RESPONSIBLE PARTY. Applications for compensation or grants under the well compensation program under s. 281.75, the county well testing grant program under s. 281.54, or any state financial assistance program funded by the federal American Rescue Plan Act of 2021, P.L. 117-2, may not be used by the department to determine responsibility under sub. (3).

**SECTION 20.** 292.31 (1) (d) (intro.) of the statutes is amended to read:

292.31 (1) (d) *Access to information.* (intro.) Upon the request of any officer, employee, or authorized representative of the department, any person who generated, transported, treated, stored, or disposed of solid or hazardous waste ~~which~~ that may have been disposed of at a site or facility under investigation by the department and any person who generated solid or hazardous waste at a site or facility under investigation by the department that was transported to, treated at, stored at, or disposed of at another site, facility, or location shall provide the officer, employee, or authorized representative access to any records or documents in that person's custody, possession, or control which relate to:

**SECTION 21.** 292.31 (1) (d) 1m. of the statutes is created to read:

292.31 (1) (d) 1m. The type and quantity of waste generated at the site or facility that was transported to, treated at, stored at, or disposed of at another site, facility, or location, and the dates and locations of these activities.

**SECTION 22.** 292.67 of the statutes is created to read:

**292.67 PFAS community grant program.** (1) DEFINITIONS. In this section:

(a) "Class B firefighting foam" has the meaning given in s. 299.48 (1) (a).

(b) “Municipality” means a city, village, town, county, tribal governing body, utility district, lake protection district, sewerage district, or municipal airport.

(c) “PFAS” means a perfluoroalkyl or polyfluoroalkyl substance.

(2) FINANCIAL ASSISTANCE. The department shall administer a program to provide grants from the appropriation under s. 20.370 (4) (mw) to municipalities that meet the requirements under sub. (3) for the purpose of conducting any of the eligible activities under sub. (4).

(3) ELIGIBILITY PREREQUISITES. A grant may be awarded under sub. (2) only if one of the following has occurred:

(a) The municipality tested or trained with a class B firefighting foam that contained intentionally added PFAS in accordance with applicable state and federal law, or a 3rd party tested or trained with a class B firefighting foam that contained intentionally added PFAS within the area controlled by the municipality.

(b) The municipality applied biosolids to land under a permit issued by DNR under s. 283.31.

(c) PFAS are impacting the municipality’s drinking water supply or surface water or groundwater within the area controlled by the municipality and the responsible party is unknown or is unwilling or unable to take the necessary response actions.

(d) PFAS contamination in groundwater is impacting private wells within the area controlled by the municipality.

(4) ELIGIBLE ACTIVITIES. The department may award a grant under sub. (2) for any of the following activities:

(a) Investigating potential PFAS impacts to the air, land, or water at a site or facility for the purpose of reducing or eliminating environmental contamination.

(b) Treating or disposing of PFAS-containing firefighting foam containers from a municipal site or facility.

(c) Sampling a private water supply within 3 miles of a site or facility known to contain PFAS or to have caused a PFAS discharge.

(d) Assisting owners of private wells with the cost of installation of filters, treatment, or well replacement.

(e) Providing a temporary emergency water supply, a water treatment system, or bulk water to replace water contaminated with PFAS.

(f) Conducting emergency, interim, or remedial actions to mitigate, treat, dispose of, or remove PFAS contamination to the air, land, or waters of the state.

(g) Removing or treating PFAS in a public water system using the most cost-effective method to provide safe drinking water in areas where PFAS levels exceed the maximum contaminant level for PFAS under ch. 281 or an enforcement standard for PFAS under ch. 160 or where the state has issued a health advisory for PFAS.

(h) Creating a new public water system or connecting private well owners to an existing public water system in an area in which there is widespread PFAS contamination in private water supplies.

(i) Sampling and testing water for PFAS contamination in a public, private, or tribal elementary or secondary school, a child care center that is licensed under s.

48.65, a child care program that is established or contracted for under s. 120.13 (14), or a child care provider that is certified under s. 48.651.

(5) APPLICATION. A municipality shall apply for a grant on a form prescribed by the department and shall include any information that the department finds necessary to determine the eligibility of the project, identify the funding requested, determine the priority of the project, and calculate the amount of a grant.

(6) EVALUATION CRITERIA. The department, in awarding grants under this section, shall consider all of the following criteria:

(a) The municipality's demonstrated commitment to performing and completing eligible activities, including the municipality's financial commitment and ability to successfully administer grants.

(b) The degree to which the project will have a positive impact on public health and the environment.

(c) Other criteria that the department finds necessary to prioritize the funds available for awarding grants.

(7) MATCHING FUNDS. The department may not distribute a grant under this section unless the applicant contributes matching funds equal to at least 20 percent of the amount of the grant. Matching funds may be in the form of cash, in-kind contributions, or both.

(8) RULEMAKING. The department shall promulgate rules necessary to administer this section, including procedures for submission, review, and determination of applications for assistance under this section. The rules

promulgated under this subsection shall give priority to providing assistance to owners of private wells contaminated with PFAS.

**SECTION 23.** 292.74 of the statutes is created to read:

**292.74 Financial responsibility for PFAS.** The department may, if it determines doing so is necessary to protect human health or the environment, require a person who possesses or controls or who causes the discharge of a perfluoroalkyl or polyfluoroalkyl substance, and any person who manufactures any product that contains intentionally added perfluoroalkyl or polyfluoroalkyl substances, to provide proof of financial responsibility for conducting emergency response actions, remedial actions, environmental repair, and long-term care to address contamination by a potential discharge of a perfluoroalkyl or polyfluoroalkyl substance or environmental pollution that may be caused by a discharge of such substances. The department shall establish, by rule, the procedure for determining whether requiring a proof of financial responsibility is necessary to protect human health or the environment, and may establish requirements for types of financial responsibility, methods for calculating amounts of financial responsibility, access and default, bankruptcy notifications, and any other requirements the department determines is necessary under this section. The proof of financial responsibility required under this section shall be in addition to any other proof of financial responsibility or financial assurance required under this chapter. This section does not apply to a person exempt under s. 292.11 (9).

**SECTION 24.** 299.487 of the statutes is created to read:

**299.487 Transportation and disposal of PFAS.** (1) In this section:

(a) “Environmental justice” means the fair treatment and meaningful involvement of all individuals, regardless of race, color, national origin, educational level, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies to ensure that no population of color or community of color, indigenous community, or low-income community shall be exposed to a disproportionate burden of the negative human health and environmental impacts of pollution or other environmental hazards.

(b) “PFAS” means a perfluoroalkyl or polyfluoroalkyl substance.

(2) A person disposing of PFAS, or transporting PFAS for the purpose of disposal, shall attempt to the greatest extent possible to avoid disposing of PFAS in, or transporting PFAS to, any location where such disposal or transportation will contribute to environmental justice concerns and shall consider all reasonable alternatives for transport and disposal of PFAS. The department shall assist any person, upon request, in evaluating the environmental justice impacts of the person’s disposal or transportation of PFAS.

#### **SECTION 9132. Nonstatutory provisions; Natural Resources.**

(1) STATEWIDE BIOMONITORING STUDIES. The department of health services shall conduct biomonitoring studies across the state to assess perfluoroalkyl and polyfluoroalkyl substance exposure levels and better understand the factors that affect perfluoroalkyl and polyfluoroalkyl substance exposure levels in different communities. The department may, as part of these studies, survey volunteer participants, test blood samples for the presence and levels of perfluoroalkyl and polyfluoroalkyl substances, and analyze the results.

(2) EMERGENCY RULES FOR PFAS COMMUNITY GRANT PROGRAM. The department of natural resources may use the procedure under s. 227.24 to promulgate emergency rules relating to the community grant program under s. 292.67. Notwithstanding s. 227.24 (1) (a) and (3), the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules promulgated under this subsection, the department is not required to prepare a statement of scope of the rules or to submit the proposed rules in final draft form to the governor for approval.

**SECTION 9219. Fiscal changes; Health Services.**

(1) PFAS BIOMONITORING STUDIES. In the schedule under s. 20.005 (3) for the appropriation to the department of health services under s. 20.435 (1) (a), the dollar amount for fiscal year 2025-26 is increased by \$630,000 and the dollar amount for fiscal year 2026-27 is increased by \$630,000 to fund biomonitoring studies to assess and understand permanent perfluoroalkyl and polyfluoroalkyl exposure levels.

(2) POSITION AUTHORIZATIONS; PFAS OUTREACH. In the schedule under s. 20.005 (3) for the appropriation to the department of health services under s. 20.435 (1) (a), the dollar amount for fiscal year 2025-26 is increased by \$80,900 and the dollar amount for fiscal year 2026-27 is increased by \$104,500 to increase the authorized FTE positions for the department by 1.0 GPR position to act as a PFAS outreach specialist.



**SECTION 9232. Fiscal changes; Natural Resources.**

(1) PFAS COMMUNITY GRANT PROGRAM. In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (4) (mw), the dollar amount for fiscal year 2025-26 is increased by \$116,350,000 and the dollar amount for fiscal year 2026-27 is increased by \$8,650,000 for the PFAS community grant program under s. 292.67.

(2) POSITION AUTHORIZATIONS; PFAS. In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (4) (ma), the dollar amount for fiscal year 2025-26 is increased by \$691,200 and the dollar amount for fiscal year 2026-27 is increased by \$905,200 to increase the authorized FTE positions for the department by 10.0 GPR positions for the purpose of remediating and managing perfluoroalkyl and polyfluoroalkyl substances. The FTE positions shall be placed in the department as follows: 1.0 FTE position to act as an executive leadership program coordinator to supervise the Office of Emerging Contaminants; 1.0 FTE position to act as a policy initiatives advisor to develop recommendations for legislative and administrative action to address contaminants of emerging concern; 1.0 FTE position to act as a supply specialist to coordinate and complete sampling of public water supplies for emerging contaminants and to provide support to private well owners with water quality analysis; 2.0 FTE positions to act as water resources management specialists to develop water quality standards, assist in effluent monitoring and source reduction, and develop guidance for landspreading of contaminated biosolids; 1.0 FTE position to act as an air management specialist to develop statewide policies on emerging contaminants;

1.0 FTE position to act as a waste and materials management specialist to develop safe disposal and treatment methods for waste; 2.0 FTE positions to act as hydrogeologists to coordinate sampling and cleanup activities at cleanup sites and evaluate scientific data related to contamination; and 1.0 FTE position to act as a water supply specialist to sample for and address the impacts of threats to drinking water and provide water quality analysis support to private well owners.

(3) PFAS SAMPLING, TESTING, AND RESEARCH. In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (4) (mw), the dollar amount for fiscal year 2025-26 is increased by \$1,480,000 and the dollar amount for fiscal year 2026-27 is increased by \$730,000 for statewide PFAS sampling and testing activities.

(4) PFAS SUBSTANCE EMERGENCY MEASURES. In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (4) (mw), the dollar amount for fiscal year 2025-26 is increased by \$900,000 and the dollar amount for fiscal year 2026-27 is increased by \$900,000 to support emergency measures related to PFAS, such as providing temporary drinking water to homes impacted by groundwater contamination.

(5) EMERGING CONTAMINANTS INITIATIVE AND POSITION AUTHORIZATION. In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (4) (mq), the dollar amount for fiscal year 2025-26 is increased by \$200,000 to increase the authorized positions for the department by 2.0 LTE positions to conduct sampling and data analysis of drinking water test for emerging contaminants, and for the purpose of wastewater monitoring, surface

water monitoring, and fish sampling. In the schedule under s. 20.005 (3) for the appropriation to the department of natural resources under s. 20.370 (4) (mq), the dollar amount for fiscal year 2026-27 is increased by \$225,000 for the purpose of wastewater monitoring, surface water monitoring, and fish sampling.”.

**(END)**