



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-6106/1
KRP:cdc

2021 SENATE BILL 1084

March 9, 2022 - Introduced by Senator SMITH. Referred to Committee on Natural Resources and Energy.

1 **AN ACT to create** 709.03 (form) F20m. and 709.033 (form) E22m. of the statutes;
2 **relating to:** disclosure of contracts for frac sand mining on neighboring
3 properties.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, an owner selling residential real property or vacant land must give a prospective buyer a form, known as a real estate condition report for residential real property and known as the vacant land disclosure report for vacant land (real estate condition report), 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 also disclose on the applicable real estate condition 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) F20m. of the statutes is created to read:
5 **709.03** (form)

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SECTION 1

F20m. Are you aware of a contract, or an option to con-
 tract, that allows a person to mine frac sand on
 a neighboring property?

1 **SECTION 2.** 709.033 (form) E22m. of the statutes is created to read:

2 **709.033** (form)

E22m. Are you aware of a contract, or an option to con-
 tract, that allows a person to mine frac sand on
 a neighboring property?

3 **SECTION 3. Nonstatutory provisions.**

4 (1) Notwithstanding s. 709.035, the treatment of ss. 709.03 (form) F20m. and
 5 709.033 (form) E22m. does not require a property owner that has furnished to a
 6 prospective buyer of the property an original or amended report before the effective
 7 date of this subsection to submit an amended report with respect to the information
 8 required by ss. 709.03 (form) F20m. and 709.033 (form) E22m.

9 **SECTION 4. Initial applicability.**

10 (1) This act first applies to a report that is furnished on the effective date of this
 11 subsection.

12 **SECTION 5. Effective date.**

13 (1) This act takes effect on the first day of the 7th month beginning after
 14 publication.

15 (END)