



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-4169/1
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2023 SENATE BILL 444

September 20, 2023 - Introduced by Senators COWLES and WANGGAARD, cosponsored by Representatives SORTWELL, GUSTAFSON, TUSLER, STUBBS and BALDEH. Referred to Committee on Education.

AN ACT *to create* 254.23 of the statutes; **relating to:** indoor air quality inspection and evaluation program for public schools.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Health Services to establish an indoor air quality inspection and evaluation program for public school buildings used by pupils. DHS may perform random inspections of a public school building used by pupils, and DHS must respond to complaints about the air quality in a public school building used by pupils, unless the building was inspected within the previous two years and no problems were identified or the building was inspected within the previous six months and problems were identified. DHS may request and receive assistance from local health departments or qualified third parties in performing its duties under the bill. If DHS, a local health department, or a qualified third party performs an inspection of the air quality in a public school building used by pupils, DHS, the local health department, or the qualified third party must compile a report of the results of that inspection in areas of the building used by pupils and areas of the building not used by pupils, including the known potential health consequences of any problems identified with air quality in the building and any identified potential sources of air quality issues. DHS, the local health department, or the qualified third party must present the report to the person who made the complaint, if any; to the school board or the governing board of a charter school, whichever is applicable, during an open meeting; and to the local health

SENATE BILL 444**SECTION 1**

department, unless the local health department performed the investigation and compiled the report. If requested, DHS must then assist the school in developing a reasonable plan to address any air quality issues found in the inspection.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 254.23 of the statutes is created to read:

254.23 Indoor air quality inspection and evaluation program for public schools. (1) The department shall establish an indoor air quality inspection and evaluation program for public school buildings used by pupils. The department may perform random air quality inspections of a public school building used by pupils and shall respond to complaints received about the quality of air in a public school building used by pupils, unless the building was inspected within the previous 2 years and no air quality problems were identified or the building was inspected within the previous 6 months and air quality problems were identified. The department may request and receive assistance from local health departments or qualified 3rd parties in performing its duties under this section.

(2) If the department, a local health department, or a qualified 3rd party performs an air quality inspection of a public school building used by pupils, the department, local health department, or qualified 3rd party shall do all of the following:

(a) Compile a report of the results of the air quality inspection in the areas of the building that are used by pupils and the areas that are not used by pupils,

SENATE BILL 444**SECTION 1**

including the known potential health consequences of any problems identified with air quality in the building and any identified potential sources of air quality issues.

(b) Present the report of the results to all of the following:

1. The person who complained about the quality of air, if any.
2. The school board or the governing board of a charter school, whichever is applicable, during an open meeting.
3. The appropriate local health department, unless the local health department performed the inspection and compiled the report under sub. (2) (a).

(c) If requested, assist the school in developing a reasonable plan to address any air quality issues found in the inspection.

(3) Neither the department nor any local health officer may exercise authority granted under ch. 252 based on any complaint, inspection, or evaluation under this section if any person affiliated with the public school requested the inspection or the inspection was completed at random.

(END)