



SHAE SORTWELL

STATE REPRESENTATIVE • 2nd ASSEMBLY DISTRICT

Hearing Testimony
Assembly Committee on Local Government
March 19, 2025
Assembly Bill 41

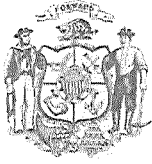
Chairman Novak and members of the Assembly Committee on Local Government – Thank you for giving me the opportunity to speak on AB 41, relating to the local regulation of vegetable gardens.

Individuals growing their own food on their property is becoming more popular, especially since COVID, due to inflation, supply chain issues, and government food controls on farmland. Protecting this basic human right is essential. Government should encourage and protect, not limit, the right to grow your own food on your private property.

After hearing concerns from constituents on local government entities discouraging their gardens, Senator Jacque and I crafted Assembly Bill 41 based on model legislation from the Institute for Justice, protecting homeowners' right from unreasonable restrictions. This legislation does not affect certain municipal powers as long as it does not specifically regulate vegetable gardens. We added a few exceptions on this matter in the bill.

This legislation has passed in Illinois and Florida, and received a bipartisan vote in this committee last session.

I appreciate the opportunity to testify on this legislation and would gladly answer any questions the committee may have.



ANDRÉ JACQUE

STATE SENATOR • 1ST SENATE DISTRICT

Phone: (608) 266-3512

Fax: (608) 282-3541

Sen.Jacque@legis.wi.gov

State Capitol • P.O. Box 7882

Madison, WI 53707-7882

Testimony before the Assembly Committee on Local Government

Senator André Jacque

Assembly Bill 41

March 19, 2025

Thank you, Chairman Novak and committee members for holding this public hearing on Assembly Bill 41 and the opportunity to appear before you in support of the Wisconsin Vegetable Garden Protection Act.

I began working on this legislation at the request of constituents after becoming aware that some local zoning ordinances have explicitly banned home vegetable gardens, or put up unreasonable rules governing what homeowners may grow, and where they can plant their food, with heavy fines levied for violating these mandates.

State law should encourage and protect home vegetable gardens and private property rights. Recent events, including the global pandemic which has stressed global supply chains, emptied grocery store shelves, and increased food prices, makes protecting local food sources even more of a necessity for many today.

This proposal, based on model legislation from the Institute for Justice, will protect the right of Wisconsin homeowners to grow their own food on their own property, free from unreasonable restrictions.

Assembly Bill 41 strikes a reasonable balance between private property rights, localized “grow your own” food supplies, concern for pollinators, and legitimate community standards and public safety. There is much interest in having the option to pursue a quality gardening space in a residential setting throughout the area, giving residents the freedom and opportunity to eat healthier, have a more diverse selection of produce, keep grocery costs down, and know where food comes from.” I appreciate the bi-partisan support for this proposal both this session and the prior one, when it passed this committee.

In today’s inflationary times vegetable gardens can help families cope with the skyrocketing cost of food. And those who grow more vegetables than they can eat may donate their extra supply to local food pantries and help those who are less fortunate than themselves.

Thank you for your consideration of Assembly Bill 41.