



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2726/1  
MES:ahe

## 2019 SENATE BILL 365

August 22, 2019 - Introduced by Senators KAPENGA, TIFFANY, CRAIG, NASS and STROEBEL, cosponsored by Representatives NEYLON, KUGLITSCH, BALLWEG, BRANDTJEN, FELZKOWSKI, GUNDRUM, KULP, RAMTHUN, RODRIGUEZ, THIESFELDT, TUSLER, WICHGERS and ZIMMERMAN. Referred to Committee on Utilities and Housing.

1     **AN ACT** *to create* 66.0821 (1) (ae) and 66.0821 (2m) of the statutes; **relating to:**  
2             generally prohibiting local units of government from excluding from  
3             consideration certain piping materials.

---

***Analysis by the Legislative Reference Bureau***

This bill generally prohibits local governmental units from excluding from consideration the use of piping materials that meet the project's standards, where required and as part of a public contract, unless there are sound engineering practices suggesting that a particular type of piping materials be used for that particular project. The bill defines piping materials as piping materials that meet standards issued by ASTM International, the American Water Works Association, or NSF International.

For further information see the *local* 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:***

4             **SECTION 1.** 66.0821 (1) (ae) of the statutes is created to read:  
5             66.0821 (1) (ae) "Piping materials" means piping materials that meet  
6             standards issued by at least one of the following organizations:

**SENATE BILL 365****SECTION 1**

- 1 1. ASTM International.
- 2 2. The American Water Works Association.
- 3 3. NSF International.

4 **SECTION 2.** 66.0821 (2m) of the statutes is created to read:

5 66.0821 **(2m)** USE OF PIPING MATERIALS. If a municipality or municipal public  
6 utility enters into a public contract under s. 66.0901 for a project for which piping  
7 materials are required, the municipality or municipal public utility may not exclude  
8 any type of piping materials that meet the performance requirements of the project  
9 from consideration of being used under the public contract unless, following its  
10 review of the bids or proposals submitted, sound engineering practices suggest that  
11 a particular type of piping materials is more appropriate for that particular project.

12 **SECTION 3. Initial applicability.**

13 (1) This act first applies to a public contract that is entered into on the effective  
14 date of this subsection.

15 (END)