



2015 ASSEMBLY BILL 121

March 27, 2015 – Introduced by Representatives RIPP, BALLWEG, BERNIER, CZAJA, EDMING, HUTTON, JACQUE, KITCHENS, KLEEFISCH, KRUG, MURPHY, MURSAU and THIESFELDT, cosponsored by Senators OLSEN, COWLES, HARSDORF, MARKLEIN, TIFFANY and BEWLEY. Referred to Committee on Housing and Real Estate.

1 **AN ACT** *to renumber and amend* 145.02 (2); *to amend* 101.63 (1) (intro.) and
2 101.82 (1); and *to create* 145.02 (2) (b) of the statutes; **relating to:** standards
3 for the construction and inspection of camping units; for installing, repairing,
4 and maintaining electrical wiring in camping units; and for plumbing in
5 camping units; providing an exemption from emergency rule procedures; and
6 granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, any one-family or two-family dwelling for which initial construction began on or after December 1, 1978, must comply with the one-family and two-family dwelling code (dwelling code). Under current law, the Department of Safety and Professional Services (DSPS) promulgates rules for this code which includes standards for heating, ventilation, plumbing, electricity, and other systems. One-family and two-family dwellings for which initial construction began before that date are not covered by this code but are subject to the state electrical and plumbing codes.

This bill provides that DSPS's rules for the dwelling code, the electrical code, and the plumbing code must include separate standards that apply only to camping units that are set in a fixed location in a campground for which the Department of Health Services has issued a permit, that contain a sleeping place, and that are used for seasonal overnight camping. The bill provides that if DSPS has appointed a

ASSEMBLY BILL 121

committee to advise DSPS on rule making with respect to private on-site wastewater treatment systems, DSPS must promulgate the separate standards under the plumbing code in consultation with that committee.

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:

1 **SECTION 1.** 101.63 (1) (intro.) of the statutes is amended to read:

2 101.63 (1) (intro.) Adopt rules which establish standards for the construction
3 and inspection of one- and 2-family dwellings and components thereof. The rules
4 shall include separate standards, established in consultation with the dwelling code
5 council, that apply only to the construction and inspection of camping units that are
6 set in a fixed location in a campground for which a permit is issued under s. 254.47,
7 that contain a sleeping place, and that are used for seasonal overnight camping.

8 Where feasible, the standards used shall be those nationally recognized and shall
9 apply to the dwelling and to its electrical, heating, ventilating, air conditioning and
10 other systems, including plumbing, as defined in s. 145.01 (10). No set of rules may
11 be adopted which has not taken into account the conservation of energy in
12 construction and maintenance of dwellings and the costs of specific code provisions
13 to home buyers in relationship to the benefits derived from the provisions. Rules
14 promulgated under this subsection do not apply to a bed and breakfast
15 establishment, as defined under s. 254.61 (1), except that the rules apply to all of the
16 following:

17 **SECTION 2.** 101.82 (1) of the statutes is amended to read:

18 101.82 (1) Promulgate by rule a state electrical wiring code that establishes
19 standards for installing, repairing, and maintaining electrical wiring. The rules

ASSEMBLY BILL 121

1 shall include separate standards, established in consultation with the dwelling code
2 council, that apply only to electrical wiring in camping units that are set in a fixed
3 location in a campground for which a permit is issued under s. 254.47, that contain
4 a sleeping place, and that are used for seasonal overnight camping. Where feasible,
5 the rules shall reflect nationally recognized standards.

6 **SECTION 3.** 145.02 (2) of the statutes is renumbered 145.02 (2) (a) and amended
7 to read:

8 145.02 (2) (a) The department shall have general supervision of all such
9 plumbing and shall after public hearing prescribe and publish and enforce
10 reasonable standards therefor which shall be uniform and of statewide concern so
11 far as practicable. Any employee designated by the department may act for the
12 department in holding such the public hearing required under this subsection. To
13 the extent that the historic building code applies to the subject matter of these
14 standards, the standards do not apply to a qualified historic building if the owner
15 elects to be subject to s. 101.121.

16 **SECTION 4.** 145.02 (2) (b) of the statutes is created to read:

17 145.02 (2) (b) The department shall promulgate rules that establish separate
18 plumbing standards applicable only to camping units that are set in a fixed location
19 in a campground for which a permit is issued under s. 254.47, that contain a sleeping
20 place, and that are used for seasonal overnight camping. If the department has
21 appointed a committee under s. 227.13 to advise the department on rule making with
22 respect to private on-site wastewater treatment systems, the department shall
23 promulgate the rules required under this paragraph in consultation with that
24 committee.

25 **SECTION 5. Nonstatutory provisions.**

