

## 2011 DRAFTING REQUEST

### Bill

Received: **01/04/2012**

Received By: **fknepp**

Wanted: **Soon**

Companion to LRB:

For: **Roger Rivard (608) 266-2519**

By/Representing: **DJ**

May Contact:

Drafter: **mshovers**

Subject: **Local Gov't - munis generally  
Real Estate - landlord/tenant  
Local Gov't - counties**

Addl. Drafters: **fknepp**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Rivard@legis.wi.gov**

Carbon copy (CC:) to: **marc.shovers@legis.wisconsin.gov  
fern.knepp@legis.wisconsin.gov**

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Homeowners right to rent their home

---

### Instructions:

See attached

---

### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/P1	mshovers 01/05/2012	wjackson 01/05/2012	jmurphy 01/05/2012	_____	ggodwin 01/05/2012		S&L
	mshovers 02/07/2012	wjackson 02/07/2012		_____			
/1			rschluet	_____	lparisi		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			02/07/2012 _____		02/07/2012		
/2	mshovers 02/09/2012	wjackson 02/09/2012	rschluet 02/09/2012 _____		ggodwin 02/09/2012	ggodwin 02/09/2012	

FE Sent For:

*at intro*  
*2-22-12*

<END>

**2011 DRAFTING REQUEST**

**Bill**

Received: **01/04/2012**

Received By: **fknepp**

Wanted: **Soon**

Companion to LRB:

For: **Roger Rivard (608) 266-2519**

By/Representing: **DJ**

May Contact:

Drafter: **mshovers**

Subject: **Local Gov't - munis generally  
Real Estate - landlord/tenant  
Local Gov't - counties**

Addl. Drafters: **fknepp**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Rivard@legis.wi.gov**

Carbon copy (CC:) to: **marc.shovers@legis.wisconsin.gov  
fern.knepp@legis.wisconsin.gov**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Homeowners right to rent their home

---

**Instructions:**

See attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/P1	mshovers 01/05/2012	wjackson 01/05/2012	jmurphy 01/05/2012	_____	ggodwin 01/05/2012		S&L
	mshovers 02/07/2012	wjackson 02/07/2012		_____			
/1			rschluet	_____	lparisi		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			02/07/2012 _____		02/07/2012		
/2	mshovers 02/09/2012	wjackson 02/09/2012	rschluet 02/09/2012 _____		ggodwin 02/09/2012		

FE Sent For:

<END>

**2011 DRAFTING REQUEST**

**Bill**

Received: **01/04/2012**

Received By: **fknepp**

Wanted: **Soon**

Companion to LRB:

For: **Roger Rivard (608) 266-2519**

By/Representing: **DJ**

May Contact:

Drafter: **mshovers**

Subject: **Local Gov't - munis generally  
Real Estate - landlord/tenant  
Local Gov't - counties**

Addl. Drafters: **fknepp**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Rivard@legis.wi.gov**

Carbon copy (CC:) to: **marc.shovers@legis.wisconsin.gov  
fern.knepp@legis.wisconsin.gov**

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Homeowners right to rent their home

---

**Instructions:**

See attached

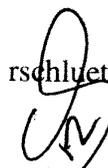
---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/P1	mshovers 01/05/2012	wjackson 01/05/2012	jmurphy 01/05/2012	_____	ggodwin 01/05/2012		S&L
	mshovers 02/07/2012	wjackson 02/07/2012		_____			

/1

12 ME 5 2/9/12  
12 WI 2/9

rschluer  




lparisi

Jacket  
for 

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

02/07/2012 \_\_\_\_\_ 02/07/2012

FE Sent For:

<END>

**2011 DRAFTING REQUEST**

**Bill**

Received: **01/04/2012**

Received By: **fknepp**

Wanted: **Soon**

Companion to LRB:

For: **Roger Rivard (608) 266-2519**

By/Representing: **DJ**

May Contact:

Drafter: **mshovers**

Subject: **Local Gov't - munis generally  
Real Estate - landlord/tenant  
Local Gov't - counties**

Addl. Drafters: **fknepp**

Extra Copies: **EVM**

Submit via email: **YES**

Requester's email: **Rep.Rivard@legis.wi.gov**

Carbon copy (CC:) to: **marc.shovers@legis.wisconsin.gov  
fern.knepp@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Homeowners right to rent their home

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/P1	mshovers 01/05/2012	wjackson 01/05/2012	jmurphy 01/05/2012	_____	ggodwin 01/05/2012		

11 MESBFFK  
FE Sent For: 2/7/12 11WJ 27  
[Handwritten signature]

<END>

**2011 DRAFTING REQUEST**

**Bill**

Received: 01/04/2012

Received By: **fknepp**

Wanted: **Soon**

Companion to LRB:

For: **Roger Rivard (608) 266-2519**

By/Representing: **DJ**

May Contact:

Drafter: **mshovers**

Subject: **Local Gov't - munis generally  
Real Estate - landlord/tenant**

Addl. Drafters: **fknepp**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Rivard@legis.wi.gov**

Carbon copy (CC:) to: **marc.shovers@legis.wisconsin.gov  
fern.knepp@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Homeowners right to rent their home

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

1?	mshovers	1/11/12					
----	----------	---------	--	--	--	--	--

1/11 MESSOFFK 1/5/12

FE Sent For:

<END>

## Knepp, Fern

---

**From:** Kahler, Pam  
**Sent:** Wednesday, January 04, 2012 12:11 PM  
**To:** Knepp, Fern  
**Subject:** FW: Message from "320NORTH"

**Attachments:** 20120104111748713.pdf



2012010411174871  
3.pdf (156 KB)...

Here's the first email, in case you need it for any reason. Thanks, Fern.

-----Original Message-----

**From:** Lundgren, Doug  
**Sent:** Wednesday, January 04, 2012 11:41 AM  
**To:** Kahler, Pam  
**Subject:** FW: Message from "320NORTH"

Hi Pam,

Here's the document from the WRA. Please let me know if you have any questions. Also, could you or Fern let me know the timeline. This is really important for us to get done.

Thank you,  
deej

DJ Lundgren

Office of Representative Roger Rivard  
75th State Assembly District  
Phone: 608.266.2519  
Fax: 608.282.3675  
E-mail: [dlundgre@legis.wi.gov](mailto:dlundgre@legis.wi.gov)

-----Original Message-----

**From:** [networkscanning@legis.wisconsin.gov](mailto:networkscanning@legis.wisconsin.gov) [mailto:[networkscanning@legis.wisconsin.gov](mailto:networkscanning@legis.wisconsin.gov)]  
**Sent:** Wednesday, January 04, 2012 11:18 AM  
**To:** Lundgren, Doug  
**Subject:** Message from "320NORTH"

This E-mail was sent from "320NORTH" (MP 6001/LD360).

Scan Date: 01.04.2012 11:17:48 (-0600)  
Queries to: [networkscanning@legis.wisconsin.gov](mailto:networkscanning@legis.wisconsin.gov)

**Knepp, Fern**

---

**From:** Kahler, Pam  
**Sent:** Wednesday, January 04, 2012 12:07 PM  
**To:** Knepp, Fern  
**Cc:** Shovers, Marc  
**Subject:** FW: Right to rent legislation  
**Attachments:** Overview memod.docx

This one is really hot! Updated memo, and I just heard that Lasee asked for the same thing.

---

**From:** Lundgren, Doug  
**Sent:** Wednesday, January 04, 2012 12:00 PM  
**To:** Kahler, Pam  
**Subject:** FW: Right to rent legislation

Updated memo for right to rent. Thanks.

**DJ Lundgren**

*Office of Representative Roger Rivard*  
 75<sup>th</sup> State Assembly District  
 Phone: 608.266.2519  
 Fax: 608.282.3675  
 E-mail: dlundgre@legis.wi.gov

---

**From:** Larson, Tom [mailto:tlarson@wra.org]  
**Sent:** Wednesday, January 04, 2012 11:59 AM  
**To:** Lundgren, Doug  
**Cc:** Kovach, Robert  
**Subject:** Right to rent legislation

DJ.,

Here is a modified version of the memo I gave you earlier today. The only difference is that this memo defines a short-term rental period as less than 7 days, rather than 14 days. Please let me know if you have questions. Thanks.

Tom

<<Overview memod.docx>>

\*\*\*\*\*  
*Thomas D. Larson - Vice President of Legal and Public Affairs*  
 Wisconsin REALTORS Association  
 4801 Forest Run Road Suite 201  
 Madison, WI 53704-7337

Revised



## Memorandum

**To:** All Legislators  
**From:** Tom Larson, Chief Lobbyist and Director of Legal and Public Affairs  
**Date:** September 18, 2011  
**Re:** Protecting the Ability of Homeowners to Rent Their Homes

---

The Wisconsin REALTORS® Association seeks to protect the rights of homeowners to rent their homes by (a) prohibiting local governments from adopting or enforcing ordinances that restrict, regulate or prohibit the manner in which real property is owned, and (b) redefining the term "transient" on the basis of the length of the rental period, rather than the type of renter.

### Background

Thousands of Wisconsin homeowners choose to rent out their homes every year. Some rent their homes when they must move away on a temporary basis for work, school or military duty. Others purchase homes in popular vacation areas for investment purposes and rent them out to tourists who travel to Wisconsin for vacation. With the downturn in the real estate market, many more homeowners are choosing to rent out their homes, rather than sell them at significant losses.

State and local regulations, however, are making it more difficult and, in some cases, impossible for homeowners to rent out their homes. For example, Wisconsin's Department of Health Services imposes expensive inspection requirements and fees on homeowners if they rent their homes to anyone who has another permanent residence, regardless of the duration of the rental period. See Wis. Stat. § 254.61. Local communities often charge \$200 to \$500 to perform these inspections. Other communities have gone even further by adopting ordinances that specifically prohibit the rental of single-family homes.

### Impact on Homeowners and the Real Estate Market

Making it more expensive to and/or prohibiting homeowners from renting out their homes is harmful to Wisconsin families, homeowners and the real estate industry for the following reasons:

- + **Negative impact on second-home markets** -- Many people have purchased second homes as an investment, with the intention of renting them out on a seasonal basis to generate income or to help pay for ownership costs. Banning the rental of homes by ordinance undermines the investment-backed expectations of these homeowners and

prevents them from using the property for the primary purpose for which they purchased it. Moreover, without the ability to rent, prospective homebuyers may be less likely to purchase homes in these areas, which could negatively impact the prices and/or marketability of these homes.

+ **Increase in foreclosures** -- Many homeowners who didn't intend to rent out their homes have recently been forced to do so due to the downturn in the economy. Renting out their homes provides these homeowners with a necessary income source to provide for their family and to possibly avoid foreclosure. Prohibiting rentals could result in a greater number of foreclosures

+ **Greater difficulty obtaining financing** – Obtaining financing to purchase or refinance real estate has become more difficult. Appraisers and loan underwriters are scrutinizing more closely all conditions that could affect the value of the property, including local ordinances. Ordinances which prohibit the rental of homes could negatively impact the value and thus the ability to obtain financing for these homes.

+ **Hurts tourism** – The ability to rent a cottage or cabin “up north” is part of Wisconsin’s cultural heritage. For generations, families from Wisconsin and other parts of the country have rented cottages and cabins to spend time together hunting, fishing and boating. For those families who cannot afford to own a second home, renting a cottage or cabin for one or two weeks out of the year presents them with a special opportunity to enjoy Wisconsin’s wonderful water resources. Local ordinances that ban the rental of cottages and cabins, and/or subject them to expensive inspection requirements, limit the ability of families to vacation in Wisconsin and ultimately hurts our state’s tourism industry.

### **Proposed solutions**

To address the problems highlighted above, we recommend the following two changes to state law:

(1) Prohibit the enforcement or adoption of local ordinances that prohibit or unreasonably restrict the ability of homeowners to rent out their homes.

(2) Redefine “transient” to include a reasonable rental period that more fairly differentiates between transient housing and short-term housing that is considered to be a home. Specifically, the term “transient” can be more carefully defined by adding a requirement that the person rent for less than a 7-day consecutive rental period<sup>1</sup>:

254.61(5r) “Tourist or transient” means a person who travels from place to place away from his or her permanent residence for vacation, pleasure, recreation, culture, business, or employment *for a period of time of less than 7 consecutive days*.

This would not alleviate hotels, daily rental units, etc from the need to be inspected but would remove from DHS regulation those who rent their homes for longer periods of time. Moreover, the proposed change would be consistent with the DHS's own rules that, while equally ambiguous, recognize the need to differentiate between renters based upon the duration of the rental period.<sup>2</sup>

---

<sup>2</sup> "Tourist or transient" means a person who travels to a location away from his or her permanent address for a **short period time** for vacation, pleasure, recreation, culture, business, or employment. See Wis. Admin. Code § DHS 195.03(19) (emphasis added)



## Memorandum

**To:** All Legislators  
**From:** Tom Larson, Chief Lobbyist and Director of Legal and Public Affairs  
**Date:** September 18, 2011  
**Re:** Protecting the Ability of Homeowners to Rent Their Homes

---

The Wisconsin REALTORS® Association seeks to protect the rights of homeowners to rent their homes by (a) prohibiting local governments from adopting or enforcing ordinances that restrict, regulate or prohibit the manner in which real property is owned, and (b) redefining the term "transient" on the basis of the length of the rental period, rather than the type of renter.

### Background

Thousands of Wisconsin homeowners choose to rent out their homes every year. Some rent their homes when they must move away on a temporary basis for work, school or military duty. Others purchase homes in popular vacation areas for investment purposes and rent them out to tourists who travel to Wisconsin for vacation. With the downturn in the real estate market, many more homeowners are choosing to rent out their homes, rather than sell them at significant losses.

State and local regulations, however, are making it more difficult and, in some cases, impossible for homeowners to rent out their homes. For example, Wisconsin's Department of Health Services imposes expensive inspection requirements and fees on homeowners if they rent their homes to anyone who has another permanent residence, regardless of the duration of the rental period. See Wis. Stat. § 254.61. Local communities often charge \$200 to \$500 to perform these inspections. Other communities have gone even further by adopting ordinances that specifically prohibit the rental of single-family homes.

### Impact on Homeowners and the Real Estate Market

Making it more expensive to and/or prohibiting homeowners from renting out their homes is harmful to Wisconsin families, homeowners and the real estate industry for the following reasons:

- + **Negative impact on second-home markets** -- Many people have purchased second homes as an investment, with the intention of renting them out on a seasonal basis to generate income or to help pay for ownership costs. Banning the rental of homes by ordinance undermines the investment-backed expectations of these homeowners and

prevents them from using the property for the primary purpose for which they purchased it. Moreover, without the ability to rent, prospective homebuyers may be less likely to purchase homes in these areas, which could negatively impact the prices and/or marketability of these homes.

+ **Increase in foreclosures** – Many homeowners who didn't intend to rent out their homes have recently been forced to do so due to the downturn in the economy. Renting out their homes provides these homeowners with a necessary income source to provide for their family and to possibly avoid foreclosure. Prohibiting rentals could result in a greater number of foreclosures

+ **Greater difficulty obtaining financing** – Obtaining financing to purchase or refinance real estate has become more difficult. Appraisers and loan underwriters are scrutinizing more closely all conditions that could affect the value of the property, including local ordinances. Ordinances which prohibit the rental of homes could negatively impact the value and thus the ability to obtain financing for these homes.

+ **Hurts tourism** – The ability to rent a cottage or cabin “up north” is part of Wisconsin's cultural heritage. For generations, families from Wisconsin and other parts of the country have rented cottages and cabins to spend time together hunting, fishing and boating. For those families who cannot afford to own a second home, renting a cottage or cabin for one or two weeks out of the year presents them with a special opportunity to enjoy Wisconsin's wonderful water resources. Local ordinances that ban the rental of cottages and cabins, and/or subject them to expensive inspection requirements, limit the ability of families to vacation in Wisconsin and ultimately hurts our state's tourism industry.

### **Proposed solutions**

To address the problems highlighted above, we recommend the following two changes to state law:

(1) Prohibit the enforcement or adoption of local ordinances that prohibit or unreasonably restrict the ability of homeowners to rent out their homes.

(2) Redefine “transient” to include a reasonable rental period that more fairly differentiates between transient housing and short-term housing that is considered to be a home. Specifically, the term “transient” can be more carefully defined by adding a requirement that the person rent for less than a 14-day consecutive rental period<sup>1</sup>:

---

<sup>1</sup>Under Internal Revenue Service rules, a dwelling unit is considered a “home” for purposes of tax treatment of rental income if the dwelling unit is used by the owner for more than 14 days. See, IRS Publication 527, *Residential Rental Property*

254.61(5r) "Tourist or transient" means a person who travels from place to place away from his or her permanent residence for vacation, pleasure, recreation, culture, business, or employment *for a period of time of less than 14 consecutive days.*

This would not alleviate hotels, daily rental units, etc from the need to be inspected but would remove from DHS regulation those who rent their homes for longer periods of time. Moreover, the proposed change would be consistent with the DHS's own rules that, while equally ambiguous, recognize the need to differentiate between renters based upon the duration of the rental period.<sup>2</sup>

---

<sup>2</sup> "Tourist or transient" means a person who travels to a location away from his or her permanent address for a **short period time** for vacation, pleasure, recreation, culture, business, or employment. See Wis. Admin. Code § DHS 195.03(19) (emphasis added)



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-37167  
MES&FFK:Y:...

TODAY

WLY  
FMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

D-NOTE

[Handwritten signature]

1 AN ACT ...; relating to: lodging establishments and restricting a local  
2 government's ability to prohibit or restrict an individual from renting his or her  
3 home.

*Analysis by the Legislative Reference Bureau*

This bill prohibits a political subdivision (any city, village, town, or county) from enacting or enforcing an ordinance <sup>that</sup> prohibits, or unreasonably restricts, an individual from renting out his or her home. The bill defines "home" as any residential dwelling owned by an individual as either a primary or secondary dwelling. If any political subdivision has such an ordinance in effect on the effective date of the bill, the ordinance does not apply and may not be enforced.

Under current law, the Department of Health Services regulates a variety of types of lodging establishments, including hotels, bed and breakfasts, and tourist rooming houses. This bill excludes from the definitions of hotel, bed and breakfast, and tourist rooming house a residential dwelling that is rented exclusively for periods ~~of time~~ that are 7 consecutive days or longer. Thus, the bill provides that a residential dwelling that is rented exclusively for periods of 7 consecutive days or longer does not qualify as a hotel, a bed and breakfast, or a tourist rooming house and therefore is not subject to regulations that apply to such lodging establishments.

establishment

SP

SP

establishment

For further information see the *state and 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:***

1 SECTION 1. 66.1014 of the statutes is created to read:

2 **66.1014 Limits on home rental prohibited.** (1) In this section:

3 (a) "Home" means any residential dwelling owned by an individual, as either  
4 the individual's primary dwelling or secondary dwelling.

5 (b) "Political subdivision" means any city, village, town, or county.

6 (c) "Residential dwelling" has the meaning given in s. 254.61 (4f).

7 (d) "Secondary dwelling" means any residential dwelling owned by an  
8 individual other than the individual's primary dwelling.

\* \*\*\*\*NOTE: Does this definition meet your intent? Do you want to limit "secondary dwelling" to a second home only, such as a vacation home, or do you intend for the definition to include any number of residential dwellings owned by an individual?

9 (2) (a) A political subdivision may not enact or enforce an ordinance <sup>that</sup> ~~which~~  
10 prohibits, or unreasonably restricts, an individual from renting out his or her home.

\*\*\*\*NOTE: Does par. (a) meet your intent? I believe it's consistent with your instructions, but I'm not sure what legal standard is imposed by the phrase "unreasonably restricts". Would you like to clarify this phrase? ↓

11 (b) If a political subdivision has in effect on the effective date of this paragraph ...  
12 [LRB inserts date], an ordinance that is inconsistent with par. (a), the ordinance does  
13 not apply and may not be enforced.

14 SECTION 2. 254.61 (1) (g) of the statutes is created to read:

15 254.61 (1) (g) Is not a residential dwelling rental.

16 SECTION 3. 254.61 (3) of the statutes is amended to read:

17 254.61 (3) "Hotel" means all places wherein sleeping accommodations are  
18 offered for pay to transients, in 5 or more rooms, and all places used in connection

1 therewith except that "hotel" does not include a residential dwelling rental. ✓  
2 "Hotelkeeper", "motelkeeper" and "innkeeper" are synonymous and "inn," "motel,"  
3 and "hotel" are synonymous.

History: 1973 c. 190; 1975 c. 189; 1975 c. 413 s. 13; Stats. 1975 s. 50.50; 1983 a. 163, 189, 203, 538; 1985 a. 135; 1987 a. 27, 307; 1989 a. 269, 354, 359; 1993 a. 27 s. 65; Stats. 1993 s. 254.61; 1993 a. 399; 1997 a. 27, 237; 1999 a. 135; 2005 a. 348; 2007 a. 67, 97.

4 **SECTION 4.** 254.61 (4f) of the statutes is created to read:

5 254.61 (4f) "Residential dwelling" means any building, structure, or part of the  
6 building or structure, that is primarily used and occupied for human habitation or  
7 intended to be so used and includes any appurtenances belonging to it or usually  
8 enjoyed with it.

9 **SECTION 5.** 254.61 (4m) of the statutes is created to read:

10 254.61 (4m) "Residential dwelling rental" means a residential dwelling that  
11 is offered for rent exclusively for periods of 7 consecutive days or longer.

12 **SECTION 6.** 254.61 (6) (d) of the statutes is created to read:

13 254.61 (6) (d) A residential dwelling rental.

14 (END)

DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-3716/?dn  
MES&FFK:./...

WJ

Date

To Representative <sup>Lasee</sup> ~~Rivett~~

This draft alters the definitions of "hotel," "bed and breakfast," and "tourist rooming house" by excluding residential dwellings that are exclusively rented for <sup>7</sup> consecutive days <sup>or</sup> longer. This means that the exemption from the definitions will not apply to a residential dwelling that is rented for a period of less than 7 days, even if such shorter rentals are only offered occasionally. The definition changes also affect cross-references to these definitions in other chapters of the statutes. Please confirm that these changes are consistent with your intent. Cross-references to these definitions include the following:

✓ a. 101.123 Smoking prohibited. <sup>This section is the</sup> General prohibition against smoking in lodging establishments, which include hotels, bed and breakfasts, and tourist rooming houses. ✓

✓ b. 101.149 Carbon monoxide detectors. <sup>This section requires</sup> Requirement that the owner of a residential building, which includes bed and breakfasts and tourist rooming houses, install carbon monoxide detectors. <sup>establishments</sup>

✓ c. 101.647 Carbon monoxide detectors. The owner of a dwelling shall install any carbon monoxide detector required under this section according to the directions and specifications of the manufacturer of the carbon monoxide detector. For purposes of this section, "dwelling unit" does not include a "tourist rooming house." ✓

d. 106.52 Public places of accommodation or amusement. Hotel, bed and breakfast, and tourist rooming house are included in the definition of a "public place of accommodation or amusement." This section contains various prohibitions related to public places of accommodation or amusement. <sup>establishment</sup>

✓ e. 350.01 Definitions for Ch. 350 (Snowmobiles). Hotel, bed and breakfast, and tourist rooming house are included in the definition of lodging establishment for purposes of chapter 350, which is used for purposes of defining "purpose of access from lodging." <sup>establishment</sup>

Fern Knepp  
Legislative Attorney  
Phone: (608) 261-6927  
E-mail: fern.knepp@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3716/P1dn  
MES&FFK:wlj:jm

January 5, 2012

To Representative Rivard:

This draft alters the definitions of "hotel," "bed and breakfast establishment," and "tourist rooming house" by excluding residential dwellings that are exclusively rented for seven consecutive days or longer. This means that the exemption from the definitions will not apply to a residential dwelling that is rented for a period of less than seven days, even if such shorter rentals are offered only occasionally. The definition changes also affect cross-references to these definitions in other chapters of the statutes. Please confirm that these changes are consistent with your intent. Cross-references to these definitions include the following:

- a. 101.123 Smoking prohibited. This section is the general prohibition against smoking in lodging establishments, which include hotels, bed and breakfast establishments, and tourist rooming houses.
- b. 101.149 Carbon monoxide detectors. This section requires that the owner of a residential building, which includes bed and breakfast establishments and tourist rooming houses, install carbon monoxide detectors.
- c. 101.647 Carbon monoxide detectors. The owner of a dwelling shall install any carbon monoxide detector required under this section according to the directions and specifications of the manufacturer of the carbon monoxide detector. For purposes of this section, "dwelling unit" does not include a "tourist rooming house."
- d. 106.52 Public places of accommodation or amusement. Hotel, bed and breakfast establishment, and tourist rooming house are included in the definition of a "public place of accommodation or amusement." This section contains various prohibitions related to public places of accommodation or amusement.
- e. 350.01 Definitions for ch. 350 (snowmobiles). Hotel, bed and breakfast establishment, and tourist rooming house are included in the definition of "lodging establishment" for purposes of chapter 350, which is used for purposes of defining "purpose of access from lodging."

Fern Knepp  
Legislative Attorney  
Phone: (608) 261-6927  
E-mail: fern.knepp@legis.wisconsin.gov

**Knepp, Fern**

---

**From:** Lundgren, Doug  
**Sent:** Tuesday, February 07, 2012 1:49 PM  
**To:** Knepp, Fern  
**Subject:** FW: Right to Rent Legislation (LRB 3716/1)

Hi Fern,

Did we ever get these changes to you?

Thanks,  
deej

DJ Lundgren

Office of Representative Roger Rivard  
75th State Assembly District  
Phone: 608.266.2519  
Fax: 608.282.3675  
E-mail: dlundgre@legis.wi.gov

*See  
p. 7 for  
changes*

-----Original Message-----

**From:** Rivard, Roger  
**Sent:** Wednesday, January 11, 2012 1:22 PM  
**To:** Lundgren, Doug  
**Subject:** FW: Right to Rent Legislation (LRB 3716/1)

Deej. Did you get these changes to the drafters yet?? If not, who do I forward them to?  
Thanks !!

Roger Rivard

Assemblyman  
75th State Assembly District  
Office: 608.266.2519  
Cell: 715.651.8111  
Fax: 608.282.3675  
E-mail: rep.rivard@legis.wi.gov

-----Original Message-----

**From:** Larson, Tom [mailto:tlarson@wra.org]  
**Sent:** Wednesday, January 11, 2012 10:01 AM  
**To:** rogerrivard@charter.net  
**Subject:** FW: Right to Rent Legislation (LRB 3716/1)

Roger,

Here are the suggested edits to the "right to rent" bill (LRB 3716/1). Could you please forward these to the drafter? If you or the drafter have questions, please let me know. Thanks.

Tom

\*\*\*\*\*  
Thomas D. Larson - Vice President of Legal and Public Affairs Wisconsin REALTORS Association  
4801 Forest Run Road Suite 201  
Madison, WI 53704-7337  
Phone 608-240-8254

Cell 608-212-0066

Fax 608-241-2901

<<<<http://www.wra.org/>>>>

\*\*\*\*\*  
 Unsubscribe: If you unsubscribe, you are directing the WRA to discontinue all e-mail to your e-mail address. You will not receive any further correspondence from the WRA via e-mail (including, but not limited to, education and convention reminders, political communications such as calls to action, dues information, committee materials, legal department communications including DR Hottips, etc.), and your e-mail address will be removed from all WRA membership lists, including the "Find a REALTOR" directory on the WRA Web site and membership lists furnished to other boards. To unsubscribe, click here: [unsubscribe@wra.org](mailto:unsubscribe@wra.org) <<mailto:unsubscribe@wra.org?subject=Unsubscribe>>

This e-mail message is intended solely for the person to whom it is addressed and may contain confidential and/or privileged information. If you have received this e-mail message in error, but are affiliated with the person to whom it is addressed, please notify the addressee that the e-mail has been received (otherwise delete it). Any review, dissemination, copying, printing or other use of this email message by persons other than the addressee is prohibited.

-----Original Message-----

From: Larson, Tom

Sent: Monday, January 09, 2012 1:28 PM

To: 'Lundgren, Doug'; Murray, Joe - Director of Political and Governmental Affairs

Subject: RE: Right to Rent Legislation

Deej,

Thanks again for the quick turnaround. Here are my responses to the questions by the drafter, and suggested edits. Please let me know if you have any questions. Thank you.

Responses to questions by the drafter

- Changes to cross references in other chapters of the statutes
- 101.123 Smoking prohibited -- Yes, please exempt residential dwellings. The owner can address this issue in the rental contract.
- 101.149 Carbon monoxide detectors -- They are already required in all residential dwellings, so it doesn't matter if you exempt from hotel definitions.
- 101.647 Carbon monoxide detectors -- Same as above.
- 106.52 Public places of accommodation or amusement -- Yes. A private residence is a different type of facility.
- 350.01 Snowmobiles -- Yes, please exempt residential dwellings

Page 2, after line 8 -- Yes the definition of "secondary dwelling" is fine, as drafted.

Page 2, after line 10 -- Yes, please leave the "unreasonably restricts" language in place. While it is ambiguous, the term allow flexibility at the local level to regulate these dwellings in a manner that is reasonable. Ultimately, a court will have to determine whether a regulation is reasonable.

Recommended change

Page 2, line 10 -- Add "for 7 days or longer" to the end of the sentence after the word "home."

\*\*\*\*\*  
 Thomas D. Larson - Vice President of Legal and Public Affairs Wisconsin REALTORS Association  
 4801 Forest Run Road Suite 201  
 Madison, WI 53704-7337  
 Phone 608-241-2047  
 Cell 608-212-0066 Fax 608-241-2901 <<<<http://www.wra.org/>>>>  
 \*\*\*\*\*

Unsubscribe: If you unsubscribe, you are directing the WRA to discontinue all e-mail to your e-mail address. You will not receive any further correspondence from the WRA via e-mail (including, but not limited to, education and convention reminders, political communications such as calls to action, dues information, committee materials, legal department communications including DR Hottips, etc.), and your e-mail address will be removed from all WRA membership lists, including the "Find a REALTOR" directory on the WRA Web site and membership lists furnished to other boards. To unsubscribe, click here: [unsubscribe@wra.org](mailto:unsubscribe@wra.org) <<mailto:unsubscribe@wra.org?subject=Unsubscribe>>

This e-mail message is intended solely for the person to whom it is addressed and may contain confidential and/or privileged information. If you have received this e-mail message in error, but are affiliated with the person to whom it is addressed, please notify the addressee that the e-mail has been received (otherwise delete it). Any review, dissemination, copying, printing or other use of this email message by persons other than the addressee is prohibited.

-----Original Message-----

From: Lundgren, Doug [<mailto:DJ.Lundgren@legis.wisconsin.gov>]  
Sent: Friday, January 06, 2012 11:36 AM  
To: Murray, Joe - Director of Political and Governmental Affairs  
Cc: Larson, Tom  
Subject: Right to Rent Legislation

Hi, please see attached legislation. Let me know what you guys think.  
I'll be at lunch, so call me at 202.714.0488 with any questions or concerns.

deej

DJ Lundgren

Office of Representative Roger Rivard  
75th State Assembly District  
Phone: 608.266.2519  
Fax: 608.282.3675  
E-mail: [dlundgre@legis.wi.gov](mailto:dlundgre@legis.wi.gov)

-----Original Message-----

From: [networkscanning@legis.wisconsin.gov](mailto:networkscanning@legis.wisconsin.gov)  
[<mailto:networkscanning@legis.wisconsin.gov>]  
Sent: Friday, January 06, 2012 11:15 AM  
To: Lundgren, Doug  
Subject: Message from "320NORTH"

This E-mail was sent from "320NORTH" (MP 6001/LD360).

Scan Date: 01.06.2012 11:14:50 (-0600)  
Queries to: [networkscanning@legis.wisconsin.gov](mailto:networkscanning@legis.wisconsin.gov)



State of Wisconsin  
2011 - 2012 LEGISLATURE

3716/1



LRB 3736/T  
MES&FFK:wlj:ph

RMNR

↑  
stays

2011 BILL

WANTED:  
today

Re-  
gen

1 AN ACT *to amend* 254.61 (3); and *to create* 66.1014, 254.61 (1) (g), 254.61 (4f),  
2 254.61 (4m) and 254.61 (6) (d) of the statutes; **relating to:** lodging  
3 establishments and restricting a local government's ability to prohibit or  
4 restrict an individual from renting his or her home.

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

This bill prohibits a political subdivision (any city, village, town, or county) from enacting or enforcing an ordinance that prohibits, or unreasonably restricts, an individual from renting out his or her home for seven consecutive days or longer. The bill defines "home" as any residential dwelling owned by an individual as either a primary or secondary dwelling. If any political subdivision has such an ordinance in effect on the effective date of the bill, the ordinance does not apply and may not be enforced.

Under current law, the Department of Health Services regulates a variety of types of lodging establishments, including hotels, bed and breakfast establishments, and tourist rooming houses. This bill excludes from the definitions of "hotel," "bed and breakfast establishment," and "tourist rooming house" a residential dwelling that is rented exclusively for periods that are seven consecutive days or longer. Thus, the bill provides that a residential dwelling that is rented exclusively for periods of seven consecutive days or longer does not qualify as a hotel, a bed and breakfast establishment, or a tourist rooming house and therefore is not subject to regulations that apply to such lodging establishments.

**BILL**

For further information see the *state and 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:*

1           **SECTION 1.** 66.1014 of the statutes is created to read:

2           **66.1014 Limits on home rental prohibited. (1)** In this section:

3           (a) “Home” means any residential dwelling owned by an individual, as either  
4 the individual’s primary dwelling or secondary dwelling.

5           (b) “Political subdivision” means any city, village, town, or county.

6           (c) “Residential dwelling” has the meaning given in s. 254.61 (4f).

7           (d) “Secondary dwelling” means any residential dwelling owned by an  
8 individual other than the individual’s primary dwelling.

9           **(2)** (a) A political subdivision may not enact or enforce an ordinance that  
10 prohibits, or unreasonably restricts, an individual from renting out his or her home  
11 for 7 consecutive days or longer.

12           (b) If a political subdivision has in effect on the effective date of this paragraph  
13 .... [LRB inserts date], an ordinance that is inconsistent with par. (a), the ordinance  
14 does not apply and may not be enforced.

15           **SECTION 2.** 254.61 (1) (g) of the statutes is created to read:

16           254.61 **(1)** (g) Is not a residential dwelling rental.

17           **SECTION 3.** 254.61 (3) of the statutes is amended to read:

18           254.61 **(3)** “Hotel” means all places wherein sleeping accommodations are  
19 offered for pay to transients, in 5 or more rooms, and all places used in connection  
20 therewith except that “hotel” does not include a residential dwelling rental.

**BILL**

1 “Hotelkeeper”, “motelkeeper” and “innkeeper” are synonymous and “inn,” “motel,”  
2 and “hotel” are synonymous.

3 **SECTION 4.** 254.61 (4f) of the statutes is created to read:

4 254.61 (4f) “Residential dwelling” means any building, structure, or part of the  
5 building or structure, that is primarily used and occupied for human habitation or  
6 intended to be so used and includes any appurtenances belonging to it or usually  
7 enjoyed with it.

8 **SECTION 5.** 254.61 (4m) of the statutes is created to read:

9 254.61 (4m) “Residential dwelling rental” means a residential dwelling that  
10 is offered for rent exclusively for periods of 7 consecutive days or longer.

11 **SECTION 6.** 254.61 (6) (d) of the statutes is created to read:

12 254.61 (6) (d) A residential dwelling rental.

13 (END)

**Shovers, Marc**

---

**From:** Knepp, Fern  
**Sent:** Wednesday, February 08, 2012 1:13 PM  
**To:** Shovers, Marc  
**Subject:** Right to Rent bill  
Marc:

The requested changes fall in your section of the bill. It is unclear to me if these are drafting instructions or if DJ would just like some feed back.

Fern

*These instructions  
relate to LRB  
-3716, Not  
-2831*

---

**From:** Lundgren, Doug  
**Sent:** Wednesday, February 08, 2012 12:37 PM  
**To:** Knepp, Fern  
**Subject:** FW: Co-Sponsorship of LRB 2831/1 - Condominium Law Revisions

Hi Fern, I did get the bill. Thank you! Please see the recommendations below.

deej

**DJ Lundgren**

*Office of Representative Roger Rivard*  
75<sup>th</sup> State Assembly District  
Phone: 608.266.2519  
Fax: 608.282.3675  
E-mail: dlundgre@legis.wi.gov

---

**From:** Larson, Tom [mailto:tlarson@wra.org]  
**Sent:** Tuesday, February 07, 2012 5:21 PM  
**To:** Lundgren, Doug; Murray, Joe - Director of Political and Governmental Affairs  
**Cc:** Cori M. Lamont  
**Subject:** RE: Co-Sponsorship of LRB 2831/1 - Condominium Law Revisions

Deej,

Thanks for the extra effort on this bill.

Trying to define "home" makes this bill unnecessarily confusing. I think it would be easier to have the bill apply to residential dwellings, which is already defined by the bill. Also, we don't want to limit the application of the bill to residential dwellings owned only by individuals. Some residential dwellings may be owned by partnerships, LLCs or other legal entities. Accordingly, we recommend changing "individual" to "person" (or whatever the drafter suggests).

Here are my suggested changes:

2/8/2012

Section 1

- + line 2 - change "home" to "residential dwelling"
- + lines 3 and 4 - delete
- + lines 7 and 8 - delete
- + line 10 - change "individual" to "person"; also change "his or her home" to "a residential dwelling"

Thank you!

Tom

\*\*\*\*\*

*Thomas D. Larson - Vice President of Legal and Public Affairs*

Wisconsin REALTORS Association

4801 Forest Run Road Suite 201

Madison, WI 53704-7337

Phone 608-240-8254

Cell 608-212-0066

Fax 608-241-2901

<<<<http://www.wra.org/>>>>

\*\*\*\*\*

**Unsubscribe:** If you unsubscribe, you are directing the WRA to discontinue all e-mail to your e-mail address. You will not receive any further correspondence from the WRA via e-mail (including, but not limited to, education and convention reminders, political communications such as calls to action, dues information, committee materials, legal department communications including DR Hottips, etc.), and your e-mail address will be removed from all WRA membership lists, including the "Find a REALTOR" directory on the WRA Web site and membership lists furnished to other boards. To unsubscribe, click here: [unsubscribe@wra.org <mailto:unsubscribe@wra.org?subject=Unsubscribe>](mailto:unsubscribe@wra.org?subject=Unsubscribe)

This e-mail message is intended solely for the person to whom it is addressed and may contain confidential and/or privileged information. If you have received this e-mail message in error, but are affiliated with the person to whom it is addressed, please notify the addressee that the e-mail has been received (otherwise delete it). Any review, dissemination, copying, printing or other use of this email message by persons other than the addressee is prohibited.

**From:** Lundgren, Doug [mailto:[DJ.Lundgren@legis.wisconsin.gov](mailto:DJ.Lundgren@legis.wisconsin.gov)]  
**Sent:** Tuesday, February 07, 2012 4:05 PM  
**To:** Murray, Joe - Director of Political and Governmental Affairs  
**Cc:** Larson, Tom; Cori M. Lamont  
**Subject:** RE: Co-Sponsorship of LRB 2831/1 - Condominium Law Revisions

Hi, please see the attached draft and get back to me asap. If we hurry, we may be able to get this on the agenda next week.

**DJ Lundgren**

*Office of Representative Roger Rivard*

75<sup>th</sup> State Assembly District

Phone: 608.266.2519

Fax: 608.282.3675

E-mail: [dlundgre@legis.wi.gov](mailto:dlundgre@legis.wi.gov)

---

**From:** Murray, Joe - Director of Political and Governmental Affairs [<mailto:jmurray@wra.org>]  
**Sent:** Tuesday, February 07, 2012 3:20 PM  
**To:** Lundgren, Doug  
**Cc:** Larson, Tom  
**Subject:** RE: Co-Sponsorship of LRB 2831/1 - Condominium Law Revisions

DJ,

I've made a few calls looking for cosponsors on the broker bill and condos. If possible give them tomorrow to sign on. I know we are moving fast so I hope to get a couple more.

Joe

---

**From:** Lundgren, Doug [<mailto:DJ.Lundgren@legis.wisconsin.gov>]  
**Sent:** Thursday, February 02, 2012 10:05 AM  
**To:** Murray, Joe - Director of Political and Governmental Affairs  
**Subject:** FW: Co-Sponsorship of LRB 2831/1 - Condominium Law Revisions

**DJ Lundgren**

*Office of Representative Roger Rivard*  
75<sup>th</sup> State Assembly District  
Phone: 608.266.2519  
Fax: 608.282.3675  
E-mail: [dlundgre@legis.wi.gov](mailto:dlundgre@legis.wi.gov)

---

**From:** Rep.Rivard  
**Sent:** Wednesday, February 01, 2012 3:32 PM  
**To:** \*Legislative Everyone  
**Subject:** Co-Sponsorship of LRB 2831/1 - Condominium Law Revisions

To: All Legislators

From: Representative Roger Rivard

Date: Wednesday, February 1, 2012

**DEADLINE: Friday, February 10, 2012**

**RE: Co-Sponsorship of LRB 2831/1 relating to information related to condominiums that must be furnished with real estate condition reports.**

The purpose of the bill is to clarify measures enacted in 2003 Wisconsin Act 283 regarding condominiums, which required condominium owners to furnish an addendum to the real estate condition report that provides additional information.

This bill simply clarifies that an owner selling a condominium is not required to provide the addendum, including the executive summary, if the owner is not required to provide a real estate condition report. This is the case when the owner is a personal representative, trustee, conservator, or court-appointed fiduciary who has never occupied the property.

The bill also clarifies that a small condominium, defined as twelve units or less, may not have to provide an executive summary because Wisconsin Statute already allows them to make an election in the declaration to use abbreviated disclosure forms that do not include an executive summary. If the executive summary is not a part of the disclosure documents for the small condominium, then it should not be required to produce them just for the real estate condition report.

It is important to give professionals in the field of realty the ability to understand what forms are required and when. This bill clarifies the process in condominium sales and allows the process to move much faster and efficiently.

Please see attached draft, including the LRB analysis, for more information on this legislation.

If you would like to co-sponsor this legislation, please contact Deej Lundgren in Rep. Rivard's office at 6-2519 by 5:00 p.m. on Friday, February 10, 2012.

<<11-28311.pdf>>

**DJ Lundgren**

*Office of Representative Roger Rivard*

75<sup>th</sup> State Assembly District

Phone: 608.266.2519

Fax: 608.282.3675

E-mail: [dlundgre@legis.wi.gov](mailto:dlundgre@legis.wi.gov)



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-3716/1  
MES&FFK:wj:rs

stays TRMR

2011 BILL

Now  
Jacket for A

Regen

1 AN ACT to amend 254.61 (3); and to create 66.1014, 254.61 (1) (g), 254.61 (4f),  
 2 254.61 (4m) and 254.61 (6) (d) of the statutes; relating to: lodging  
 3 establishments and restricting a local government's ability to prohibit or  
 4 restrict <sup>the person's</sup> ~~an individual~~ from renting <sup>out the person's residential dwelling</sup> ~~his or her home~~.  
 a person

Analysis by the Legislative Reference Bureau

This bill prohibits a political subdivision (any city, village, town, or county) from enacting or enforcing an ordinance that prohibits, or unreasonably restricts, <sup>a person</sup> ~~an individual~~ from renting out <sup>his or her home</sup> ~~his or her home~~ for seven consecutive days or longer. The bill defines ~~home as any~~ residential dwelling <sup>owned by an individual as either a</sup> ~~primary or secondary dwelling~~. If any political subdivision has such an ordinance in effect on the effective date of the bill, the ordinance does not apply and may not be enforced.

Under current law, the Department of Health Services regulates a variety of types of lodging establishments, including hotels, bed and breakfast establishments, and tourist rooming houses. This bill excludes from the definitions of "hotel," "bed and breakfast establishment," and "tourist rooming house" a residential dwelling that is rented exclusively for periods that are seven consecutive days or longer. Thus, the bill provides that a residential dwelling that is rented exclusively for periods of seven consecutive days or longer does not qualify as a hotel, a bed and breakfast establishment, or a tourist rooming house and therefore is not subject to regulations that apply to such lodging establishments.

as any building or structure, or part thereof, that is primarily used and occupied for human habitation or intended to be so used

the person's residential dwelling

a person

**BILL**

For further information see the *state and 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:*

SECTION 1. 66.1014 of the statutes is created to read:

66.1014 Limits on ~~Home~~<sup>(b) residential dwelling</sup> rental prohibited. (1) In this section:

(a) "Home" means any residential dwelling owned by an individual, as either the individual's primary dwelling or secondary dwelling.

(a) (b) "Political subdivision" means any city, village, town, or county.

(b) (c) "Residential dwelling" has the meaning given in s. 254.61 (4f).

(d) "Secondary dwelling" means any residential dwelling owned by an individual other than the individual's primary dwelling.

(2) (a) A political subdivision may not enact or enforce an ordinance that prohibits, or unreasonably restricts, ~~an individual~~<sup>the person's residential dwelling</sup> from ~~renting out his or her home~~<sup>renting out a person's home</sup> for 7 consecutive days or longer.

(b) If a political subdivision has in effect on the effective date of this paragraph .... [LRB inserts date], an ordinance that is inconsistent with par. (a), the ordinance does not apply and may not be enforced.

SECTION 2. 254.61 (1) (g) of the statutes is created to read:

254.61 (1) (g) Is not a residential dwelling rental.

SECTION 3. 254.61 (3) of the statutes is amended to read:

254.61 (3) "Hotel" means all places wherein sleeping accommodations are offered for pay to transients, in 5 or more rooms, and all places used in connection therewith except that "hotel" does not include a residential dwelling rental.

**BILL**

1 "Hotelkeeper", "motelkeeper" and "innkeeper" are synonymous and "inn," "motel,"  
2 and "hotel" are synonymous.

3 **SECTION 4.** 254.61 (4f) of the statutes is created to read:

4 254.61 (4f) "Residential dwelling" means any building, structure, or part of the  
5 building or structure, that is primarily used and occupied for human habitation or  
6 intended to be so used and includes any appurtenances belonging to it or usually  
7 enjoyed with it.

8 **SECTION 5.** 254.61 (4m) of the statutes is created to read:

9 254.61 (4m) "Residential dwelling rental" means a residential dwelling that  
10 is offered for rent exclusively for periods of 7 consecutive days or longer.

11 **SECTION 6.** 254.61 (6) (d) of the statutes is created to read:

12 254.61 (6) (d) A residential dwelling rental.

13

(END)

**Godwin, Gigi**

↑ " /2" for jacketing per NES

**From:** Shovers, Marc  
**Sent:** Thursday, February 09, 2012 3:03 PM  
**To:** Godwin, Gigi  
**Subject:** RE: RUSH JACKET REQUEST: LRB 11-3716/1 Topic: Homeowners right to rent their home

I have it here on my desk. I sent them an email w/ comments on the redraft instructions and I was sort of thinking they'd get back to me. Let me call them and see if they want the /2 with changes, or the /1 jacketed. I'll let you know what I find out. Thanks.

Marc

---

**From:** Godwin, Gigi  
**Sent:** Thursday, February 09, 2012 2:59 PM  
**To:** Shovers, Marc  
**Subject:** FW: RUSH JACKET REQUEST: LRB 11-3716/1 Topic: Homeowners right to rent their home

Hi Marc. They want a jacket asap for 11/3716/1, but the folder is in the redraft area. What should I do? Thanks much, Gigi

**Gigi Godwin, Program Assistant**  
**State of Wisconsin - Legislative Reference Bureau**  
**1 East Main Street, Suite 200**  
**Madison, WI 53703**  
**(608) 266-3561**  
**[Gigi.Godwin@legis.wisconsin.gov](mailto:Gigi.Godwin@legis.wisconsin.gov)**

---

**From:** Lundgren, Doug  
**Sent:** Thursday, February 09, 2012 2:55 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-3716/1 Topic: Homeowners right to rent their home

Please put a rush on this. Thank you!  
Please Jacket LRB 11-3716/1 for the ASSEMBLY.