



## 2019 ASSEMBLY BILL 445

September 13, 2019 - Introduced by Representatives NOVAK, HORLACHER, KULP, PLUMER, THIESFELDT, TUSLER and WICHGERS, cosponsored by Senators MARKLEIN, KOOYENGA and L. TAYLOR. Referred to Committee on Housing and Real Estate.

- 1     **AN ACT** *to create* 101.05 (6) of the statutes; **relating to:** an exception to  
2             commercial building code requirements for the installation or operation of a  
3             stairway chair lift in a church constructed before 1919.

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### *Analysis by the Legislative Reference Bureau*

Subject to certain limitations discussed below, this bill provides an exception to the commercial building code that allows the owner of a church constructed before January 1, 1919, to install and operate a stairway chair lift in the church if all of the following are satisfied:

1. Each floor level connected by the stairway in which the stairway chair lift is installed has at least one other stairway or other type of fire escape that provides safe egress.

2. The installation and operation of the stairway chair lift complies with the requirements under state statutes and rules promulgated by the Department of Safety and Professional Services related to elevators and other conveyances, other than requirements related to a minimum required stairway width.

Under current law, DSPS has general authority to promulgate rules necessary to ensure that public buildings and places of employment are safe. Those rules are commonly called the commercial building code.

The bill also provides that, if the chief of the local fire department or, if the city, village, or town in which the church is located does not have a local fire department, DSPS determines that the installation or operation of a stairway chair lift as allowed under the bill may create an unsafe condition, the chief or DSPS may require the

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owner of the church, as a condition of installing or operating the stairway chair lift, to comply with other measures determined by the chief or DSPS to be necessary for safety.

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

1           **SECTION 1.** 101.05 (6) of the statutes is created to read:

2           101.05 (6) (a) Except as provided in par. (b), no standard, rule, order, code, or  
3 regulation adopted, promulgated, enforced, or administered by the department  
4 under this chapter prevents the owner of a church from installing or operating a  
5 stairway chair lift in the church if all of the following conditions are satisfied:

6           1. The church was constructed before January 1, 1919.

7           2. Each floor level connected by the stairway in which the stairway chair lift  
8 is installed has at least one other stairway or other type of fire escape that affords  
9 safe egress from the floor for all occupants.

10          3. The installation and operation of the stairway chair lift complies with the  
11 requirements under subch. VII and the rules promulgated by the department under  
12 subch. VII, other than requirements related to a minimum stairway width.

13          (b) If the chief of the fire department in the city, village, or town in which the  
14 church is located or, if the city, village, or town does not have a fire department, the  
15 department determines that installation or operation of a stairway chair lift under  
16 par. (a) would render any part of the church not safe, the chief or department may  
17 require the owner of the church, as a condition of installing or operating the stairway  
18 chair lift, to comply with other measures determined by the chief or department to  
19 be necessary for safety.

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(END)