



2019 ASSEMBLY BILL 435

1 **AN ACT** *to amend* 101.82 (1) and 145.02 (2) (b); and *to create* 101.053 of the
2 statutes; **relating to:** regulation of recreational and educational camps,
3 providing an exemption from emergency rule procedures, and granting
4 rule-making authority.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 101.053 of the statutes is created to read:
6 **101.053 Recreational and educational camps.** (1) In this section,
7 “recreational and educational camp” means a premises, including temporary and
8 permanent structures, that is operated as an overnight living quarters where both
9 food and lodging or facilities for food and lodging are provided for children or adults
10 or both children and adults for a planned program of recreation or education, and

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1 that is offered free of charge or for payment of a fee by a person or by the state or a
2 local unit of government. “Recreational and educational camp” does not include any
3 of the following:

4 (a) An overnight planned program of recreation or education for adults or
5 families at an establishment holding a current retail food establishment license
6 issued under s. 97.30 or lodging license issued under s. 97.605.

7 (b) An overnight planned program of recreation or education for less than 4
8 consecutive nights and without permanent facilities for food and lodging.

9 (c) An overnight planned program for credit at an accredited academic
10 institution of higher education.

11 (d) A tournament, competition, visitation, recruitment, campus conference, or
12 professional sports team training camp.

13 **(2)** The department shall promulgate rules revising the commercial building
14 code to establish separate standards for the construction and inspection of
15 recreational and educational camps. The standards established in the rules shall
16 take into account the uses, including seasonal use, that are unique to recreational
17 and educational camps.

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

19 101.82 **(1)** Promulgate by rule a state electrical wiring code that establishes
20 standards for installing, repairing, and maintaining electrical wiring. The rules
21 shall include separate standards, established in consultation with the uniform
22 dwelling code council, that apply only to electrical wiring in camping units that are
23 set in a fixed location in a campground for which a permit is issued under s. 97.67,
24 that contain a sleeping place, and that are used for seasonal overnight camping. The
25 rules do not apply to electrical wiring in primitive rural hunting cabins, as defined

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1 in s. 101.61 (3). The standards established in the rules shall also take into account
2 the uses, including seasonal use, that are unique to recreational and educational
3 camp, as defined in s. 101.053 (1). Where feasible, the rules shall reflect nationally
4 recognized standards.

5 **SECTION 3.** 145.02 (2) (b) of the statutes is amended to read:

6 145.02 (2) (b) The department shall promulgate rules that establish separate
7 plumbing standards applicable only to camping units that are set in a fixed location
8 in a campground for which a permit is issued under s. 97.67, that contain a sleeping
9 place, and that are used for seasonal overnight camping. The standards established
10 in the rules shall also take into account the uses, including seasonal use, that are
11 unique to recreational and educational camps, as defined in s. 101.053 (1). If the
12 department has appointed one or more committees under s. 227.13 to advise the
13 department on rule making with respect to private on-site wastewater treatment
14 systems or other plumbing systems, the department shall promulgate the rules
15 required under this paragraph in consultation with those committees.

16 **SECTION 4. Nonstatutory provisions.**

17 (1) The department of safety and professional services shall use the procedure
18 under s. 227.24 to promulgate rules that are necessary to implement this act.
19 Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this
20 subsection remain in effect until July 1, 2021, or the date on which permanent rules
21 take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the
22 department of safety and professional services is not required to provide evidence
23 that promulgating a rule under this subsection as an emergency rule is necessary for

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SECTION 4

1 the preservation of the public peace, health, safety, or welfare and is not required to
2 provide a finding of emergency for a rule promulgated under this subsection.

3 (END)