



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRBs0212/1  
MDK:amn

**SENATE SUBSTITUTE AMENDMENT 1,  
TO SENATE BILL 137**

January 3, 2018 - Offered by Senator MARKLEIN.

1     **AN ACT to create** 101.05 (6) of the statutes; **relating to:** use of certain farm  
2           buildings for social events.

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

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

4           101.05 (6) (a) In this subsection, “electrical wiring” has the meaning given in  
5           s. 101.80 (1m).

6           (b) Except as provided in pars. (c), (d), and (g), no standard, rule, order, code,  
7           or regulation adopted, promulgated, enforced, or administered by the department  
8           under this chapter that applies to a public building or place of employment applies  
9           to a building if the initial construction of the building was commenced before  
10          January 1, 1965, the building has historically been used principally for farming, as  
11          defined in s. 102.04 (3), and all of the following conditions are satisfied:

1           1. The building's principal use is for conducting wedding receptions and similar  
2 social events. If alcohol beverages are provided at a social event, the building owner  
3 shall ensure that all applicable requirements under ch. 125 are satisfied.

4           2. There is at least one period of 90 consecutive days every 12 months in which  
5 the building is used for no more than one social event.

6           3. Any electrical wiring that is installed or temporarily used in the building  
7 complies with electrical wiring requirements that apply to public buildings and  
8 places of employment of similar capacity and function.

9           4. If plumbing has been installed in the building, the plumbing conforms to the  
10 state plumbing code.

11           5. If the building contains a conveyance, as defined in s. 101.981 (1) (c), the  
12 conveyance satisfies all applicable requirements under subch. VII.

13           6. All areas of the building used for wedding receptions and similar social  
14 events comply with accessibility and occupant load requirements that apply to public  
15 buildings and places of employment of similar capacity and function.

16           7. Smoking is prohibited in the building and at any location that is 50 feet or  
17 fewer from the building.

18           8. All open flames are prohibited in the building and within 50 feet or fewer  
19 from the building.

20           9. The building complies with portable fire extinguisher requirements that  
21 apply to public buildings and places of employment of similar capacity and function.

22           10. The building complies with fire department access requirements that apply  
23 to public buildings and places of employment of similar capacity and function.

24           11. The building has all of the following:

1 a. A detection and notification fire alarm system that is sufficient for a public  
2 building or place of employment of similar design, capacity, and function.

3 b. The means of egress and escape in case of fire that applies to public buildings  
4 and places of employment of similar capacity and function.

5 c. Signs posted at or near the entrances to all areas of the building used for  
6 social events that state: "This facility is subject to alternative commercial building  
7 and public safety requirements as provided under section 101.05 (6) of the Wisconsin  
8 Statutes."

9 12. Prior to the building's first principal use as described in subd. 1., the  
10 building has been inspected by a person certified under rules promulgated by the  
11 department to inspect construction, alterations, or additions to public buildings and  
12 places of employment and the person has determined that the conditions under  
13 subds. 1. to 11. are satisfied.

14 (c) The exemption under par. (b) does not apply to any of the following:

15 1. A building that is relocated after the effective date of this paragraph .... [LRB  
16 inserts date].

17 2. A building whose footprint is expanded after the effective date of this  
18 paragraph .... [LRB inserts date], to a size that is at least 25 percent larger than its  
19 footprint on the effective date of this paragraph .... [LRB inserts date].

20 (d) The exemption under par. (b) does not apply to a building in a calendar year  
21 unless the building has been inspected under s. 101.14 (2) (b) at least once during the  
22 previous calendar year.

23 (e) 1. A person making an inspection under par. (b) 12. may inspect a building  
24 for which the exemption under par. (b) is claimed for structural soundness for use of  
25 the building to conduct social events. Except as provided in subd. 2., the person may

1 perform or have another person perform a structural analysis of the building only if  
2 the person determines after inspection that a structural analysis is required. If the  
3 person determines that a structural analysis is required, the person shall, no later  
4 than 10 days after making the determination, provide the owner of the building a  
5 written determination detailing the reasons for the determination. The owner of the  
6 building is responsible for the cost of any inspection or structural analysis performed  
7 under this subdivision.

8 2. A structural analysis of a building is not required under subd. 1. if the owner  
9 of the building provides the person making an inspection under par. (b) 12. with a  
10 structural analysis of the building that was performed by a professional engineer  
11 registered under s. 443.04. and, after that structural analysis was performed, no  
12 major structural changes have been made to the building.

13 3. A person making an inspection under par. (b) 12. may require the owner of  
14 a building for which the exemption under par. (b) is claimed to rectify any structural  
15 unsoundness that renders the building unsafe for wedding receptions and similar  
16 social events.

17 (f) The department shall prepare and make available at no cost standardized  
18 forms and guidance materials for inspections required under pars. (d) and (e) 1. The  
19 department shall make the forms and guidance materials available to the public on  
20 the department's Internet website in a manner that is conspicuous and easily  
21 accessible.

22 (g) This subsection does not affect any permit or variance granted by the  
23 department or a city, village, town, or county before the effective date of this  
24 paragraph .... [LRB inserts date]. This subsection does not affect the authority of the

1 department or a city, village, town, or county to grant a permit or variance under this  
2 chapter.

3 (END)