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State of Misconsin 2017 - 2018 LEGISLATURE

LRBa2318/1 KRP:ahe&amn

SENATE AMENDMENT 2, TO SENATE BILL 748

February 23, 2018 - Offered by Senator KAPENGA.

At the locations indicated, amend the bill as follows:

- 1. Page 1, line 10: after "requirements;" insert "the authority of the Department of Safety and Professional Services to inspect public buildings, places of employment, and one-family and two-family dwellings;".
 - 2. Page 6, line 22: after that line insert:
 - **"Section 13m.** 101.12 (3c) of the statutes is created to read:
- 101.12 (3c) If the department has delegated authority to perform building inspection services under this section to a city, village, town, or county and the city, village, town, or county has assumed that responsibility, the department may not perform building inspection services within the scope of that delegation in the city, village, town, or county.".
 - **3.** Page 10, line 14: after that line insert:

"Section 29c. 101.64 of the statutes is renumbered 101.64 (1), and 101.64 (1) (b), as renumbered, is amended to read:

101.64 (1) (b) At Except as provided under sub. (2m), at the request of the owner or renter, enter, inspect, and examine dwellings a dwelling, dwelling units unit, or premises necessary to ascertain compliance with the rules and special orders under this subchapter.

Section 29g. 101.64 (2m) of the statutes is created to read:

101.64 **(2m)** The department may not inspect a dwelling, dwelling unit, or premises located in a city, village, town, or county that exercises jurisdiction under s. 101.65 (1) (a) or (b) or 101.651 (2m) (a), unless the city, village, town, or county has entered into a contract with the department under s. 101.65 (2) that authorizes the department to conduct the inspection.

Section 29L. 101.645 (4) of the statutes is amended to read:

101.645 (4) Inspection. The Except as provided under s. 101.64 (2m), the department or a municipal authority may inspect a new dwellings dwelling, may inspect the common areas of dwellings a dwelling, and, at the request of the owner or renter, may inspect the interior of a dwelling unit in a dwelling to ensure compliance with this section.

Section 29p. 101.647 (4) of the statutes is amended to read:

101.647 (4) INSPECTION. The Except as provided under s. 101.64 (2m), the department or person authorized by state law or by city, village, town, or county ordinance or resolution to exercise powers or duties involving inspection of real or personal property may inspect a new dwellings dwelling and, at the request of the owner or renter, may inspect the interior of a dwelling unit in a dwelling to ensure compliance with this section.

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Section 29t. 101.651 (3) (a) of the statutes is amended to read:

101.651 (3) (a) Except as provided in par. (b), the department or a A county may not enforce this subchapter or provide inspection services in a municipality unless requested to do so by a person with respect to a particular dwelling or by the municipality. A request by a person or a municipality with respect to a particular dwelling does not give the department or a county authority with respect to any other dwelling. Costs For any services provided under this paragraph, the county shall be collected collect costs under s. 101.65 (1) (c) or ss. 101.63 (9) and 101.65 (2) from -a the person or municipality making a request under this subsection that requests the service.

Section 29x. 101.651 (3) (am) of the statutes is created to read:

101.651 (3) (am) Except as provided in s. 101.64 (2m), if a municipality exercises jurisdiction under sub. (2m) or adopts a resolution under sub. (2m) (a), the department may not enforce this subchapter in the municipality unless requested to do so by the municipality. For any services provided under this paragraph, the department shall collect costs under s. 101.63 (9) from the municipality.".

(END)