



2009 ASSEMBLY BILL 451

September 25, 2009 – Introduced by Representatives ROTH, BIES, BROOKS, HUEBSCH, KERKMAN, KNODL, LEMAHIEU, MURSAU, NASS, NELSON, A. OTT, PETERSEN, RIPP, SPANBAUER, STRACHOTA, SUDER, TOWNSEND, VAN ROY and VOS, cosponsored by Senator HOPPER. Referred to Committee on Labor.

1 **AN ACT to repeal** 101.147 and 101.19 (1) (m); **to amend** 101.02 (20) (a) and
2 101.02 (21) (a) of the statutes; and **to affect** 2009 Wisconsin Act 28, section 9110
3 (17r); **relating to:** registration of construction contractors.

Analysis by the Legislative Reference Bureau

Under 2009 Wisconsin Act 28 (Act 28), beginning on January 1, 2010, most persons who hold themselves out or act as a construction contractor must be registered by the Department of Commerce (Commerce). Act 28 authorizes Commerce to directly assess a forfeiture by issuing an order against any person who fails to register as required under that act. The registration requirement does not apply to a person who engages in construction on his or her own property, to a state agency or local governmental unit, or to a person who engages in construction in the course of his or her employment by a state agency or local governmental unit.

This bill eliminates the provisions of Act 28 that require that construction contractors be registered by Commerce.

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

4 **SECTION 1.** 101.02 (20) (a) of the statutes, as affected by 2009 Wisconsin Act 28,
5 is amended to read:

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1 101.02 **(20)** (a) For purposes of this subsection, “license” means a license,
2 permit, or certificate of certification or registration issued by the department under
3 ss. 101.09 (3) (c), 101.122 (2) (c), 101.136, 101.143 (2) (g), ~~101.147~~, 101.15 (2) (e),
4 101.16 (3g), 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653,
5 101.73 (5) or (6), 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952,
6 101.985 (1) to (3), 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17,
7 145.175, 145.18, or 167.10 (6m).

8 **SECTION 2.** 101.02 (21) (a) of the statutes, as affected by 2009 Wisconsin Act 28,
9 is amended to read:

10 101.02 **(21)** (a) In this subsection, “license” means a license, permit, or
11 certificate of certification or registration issued by the department under s. 101.09
12 (3) (c), 101.122 (2) (c), 101.136, 101.143 (2) (g), ~~101.147~~, 101.15 (2) (e), 101.16 (3g),
13 101.17, 101.177 (4) (a), 101.178 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6),
14 101.82 (1m), (1v), and (2), 101.935, 101.95, 101.951, 101.952, 101.985 (1) to (3),
15 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18, or
16 167.10 (6m).

17 **SECTION 3.** 101.147 of the statutes, as created by 2009 Wisconsin Act 28, is
18 repealed.

19 **SECTION 4.** 101.19 (1) (m) of the statutes, as created by 2009 Wisconsin Act 28,
20 is repealed.

21 **SECTION 5.** 2009 Wisconsin Act 28, section 9110 (17r) is repealed.

22 **SECTION 6. Effective dates.** This act takes effect on January 1, 2010, except
23 as follows:

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1 (1) The treatment of 2009 Wisconsin Act 28, section 9110 (17r) takes effect on
2 the day after publication.

3 (END)