



2015 SENATE BILL 458

December 18, 2015 - Introduced by Senator OLSEN, cosponsored by Representatives JAGLER, ALLEN, KAHL, KULP and T. LARSON. Referred to Committee on Elections and Local Government.

1 **AN ACT** *to renumber and amend* 101.63 (7); *to amend* 20.165 (2) (j); and *to*
2 *create* 101.63 (7) (b) and 101.652 of the statutes; **relating to:** information
3 required on building permit forms and reporting requirements for
4 municipalities that issue building permits.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Safety and Professional Services (DSPS) administers various laws, including building codes, that promote safety in public and private buildings and in the subsystems of those buildings. To that end, DSPS issues various licenses, permits, registrations, and other credentials (credentials) to persons engaged in the construction trades such as electricians and plumbers.

Current law also provides that DSPS must prescribe and furnish to political subdivisions a standard building permit form for all new one-family and two-family dwellings. Current law provides that a person may not obtain a building permit without a certificate of financial responsibility from DSPS. To obtain that certificate, the person must show that he or she has complied with continuing education requirements and has provided proof that he or she has in force a required bond or policy of general liability insurance.

This bill specifies that the building permit form must include a space in which the municipal authority issuing the permit must insert the name of the person to whom the building permit is issued and the number and expiration date of the certificate of financial responsibility issued by DSPS to that person. The bill also requires cities, villages, towns, and counties (political subdivisions) to provide an

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annual report to DSPS that contains the name of each person to whom the political subdivision issued a building permit for the construction of a one-family or two-family dwelling and the number and expiration date of each current credential issued by DSPS to that person. A political subdivision that does not provide the report must refund to each person to whom a building permit was issued, an amount equal to the difference between the amount paid by that person to the political subdivision for that permit and the portion of the permit fee remitted by the political subdivision to the department, if any.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 20.165 (2) (j) of the statutes is amended to read:

2 20.165 (2) (j) *Safety and building operations.* The amounts in the schedule for
3 the purposes of chs. 101 and 145 and ss. 167.35, 236.12 (2) (ap), 236.13 (1) (d) and
4 (2m), and 236.335, for the purpose of transferring the amounts in the schedule under
5 par. (kg) to the appropriation account under par. (kg), and for the purpose of
6 transferring the amounts in the schedule under par. (km) to the appropriation
7 account under par. (km). All moneys received under ch. 145, ss. 101.178, 101.19,
8 101.63 (9), 101.652 (2) (b), 101.654 (3), 101.73 (12), 101.82 (4), 101.955 (2), 101.973
9 (7), 167.35 (2) (f), and 236.12 (7) and all moneys transferred under 2005 Wisconsin
10 Act 45, section 76 (6), shall be credited to this appropriation account.

11 **SECTION 2.** 101.63 (7) of the statutes is renumbered 101.63 (7) (intro.) and
12 amended to read:

13 101.63 (7) (intro.) Prescribe and furnish to municipalities a standard building
14 permit form for all new one- and 2-family dwellings. The standard permit form shall
15 include ~~a~~ all of the following:

16 (a) A space in which the municipal authority issuing the permit shall insert the
17 name and license number of the master plumber engaged in supervising the

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1 installation of plumbing or installing the plumbing at a new one- or 2-family
2 dwelling.

3 **SECTION 3.** 101.63 (7) (b) of the statutes is created to read:

4 101.63 (7) (b) A space in which the municipal authority issuing the permit shall
5 insert the name of the person to whom the building permit is issued and the number
6 and expiration date of the certificate of financial responsibility issued to that person
7 under s. 101.654.

8 **SECTION 4.** 101.652 of the statutes is created to read:

9 **101.652 Annual report requirement. (1)** In this section:

10 (a) "Contractor credential" means a license, permit, certificate, or registration
11 issued by the department to an individual under this chapter or ch. 145 that
12 authorizes the individual to engage in construction work on or in a one- or 2- family
13 dwelling, including renovation, improvement, remodeling, installation, alteration,
14 repair, or demolition.

15 (b) "Political subdivision" means a city, village, town, or county.

16 (2) (a) Each political subdivision shall provide an annual report to the
17 department, on or before January 1, that contains the name of each person to whom
18 the political subdivision issued a building permit for the construction of a one- or 2-
19 family dwelling in the previous year. The report shall include the number and
20 expiration date of each current contractor credential held by that person.

21 (b) If a political subdivision does not provide an annual report to the
22 department by the date required under par. (a), the department shall notify the
23 political subdivision in writing that it has not received the report. If the political
24 subdivision does not provide the report to the department within 30 business days
25 from the date on which the department provides notice under this paragraph, the

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1 political subdivision shall make reasonable efforts to notify each person to whom a
2 building permit was issued in the previous year that it did not provide the required
3 report to the department. The political subdivision shall refund to each person to
4 whom a building permit was issued, an amount equal to the difference between the
5 amount paid by that person to the political subdivision for that permit and the
6 portion of the permit fee remitted by the political subdivision to the department, if
7 any.

8 **SECTION 5. Effective date.**

9 (1) This act takes effect on the first day of the 9th month beginning after
10 publication.

11 (END)