



2005 SENATE BILL 688

April 11, 2006 – Introduced by Senator ROESSLER, cosponsored by Representatives TOWNSEND, AINSWORTH, HAHN, OTT, VRUWINK and WOOD. Referred to Committee on Housing and Financial Institutions.

1 **AN ACT to repeal** 66.0435 (1) (a), 66.0435 (1) (f), 66.0435 (3) (c) 7., 66.0435 (5) and
2 341.05 (26) (b); **to renumber** 341.05 (26) (a); **to renumber and amend**
3 66.0435 (1) (g), 710.15 (1) (a) and 710.15 (1) (e); **to amend** 30.40 (6), 45.71 (12)
4 (intro.), 49.47 (4) (b) 1., 59.69 (4) (d), 66.0435 (title), 66.0435 (1) (b) and (c),
5 66.0435 (1) (d) and (e), 66.0435 (1) (i) and (j), 66.0435 (2) (a), 66.0435 (2) (b),
6 66.0435 (2) (c), 66.0435 (2) (d), 66.0435 (3) (title), 66.0435 (3) (a), 66.0435 (3) (c)
7 1. (intro.), 66.0435 (3) (c) 1. a., 66.0435 (3) (c) 1. c., 66.0435 (3) (c) 1. d., 66.0435
8 (3) (c) 2., 66.0435 (3) (c) 3., 66.0435 (3) (c) 5. and 6., 66.0435 (3) (c) 8., 66.0435
9 (3) (d) to (f), 66.0435 (3m), 66.0435 (4) (intro.), 66.0435 (4) (b), 66.0435 (4) (c),
10 66.0435 (8), 66.0435 (9), 66.0809 (3), 66.1019 (2), 70.043, 70.111 (19) (title),
11 70.112 (7), 71.07 (6e) (a) 5., 71.07 (9) (a) 3., 71.07 (9) (a) 4., 71.52 (2), 71.52 (7),
12 77.51 (4) (b) 7., 77.51 (13) (am), 77.51 (15) (b) 6., 77.52 (2) (a) 1., 77.53 (17), 77.53
13 (18), 77.54 (7) (b) (intro.), 77.54 (36), 77.61 (1) (a), 77.61 (1) (c), 77.71 (4), 77.78,
14 77.785 (2), 77.995 (2), 79.03 (3) (b) 4. a., 100.21 (1) (a), subchapter III (title) of

SENATE BILL 688

1 chapter 101 [precedes 101.70], 101.70, 101.71 (4), 101.71 (6) (a) (intro.), 101.71
2 (6) (b), 101.715, 101.72, 101.73 (1), 101.73 (1m), 101.73 (2), 101.73 (3), 101.73
3 (5), 101.73 (6), 101.73 (7), 101.73 (11), 101.74 (4), 101.74 (6), 101.74 (7), 101.745
4 (4), 101.75 (1), 101.75 (2), 101.75 (3), 101.76 (1) (a), 101.761 (3), 101.761 (5),
5 101.935 (1), 101.971 (2), 106.50 (1m) (L), 138.052 (1) (b), 138.056 (1) (b), 138.056
6 (1) (bm), 138.056 (1) (c), 138.056 (1) (d), 138.056 (3m) 4., 138.09 (7) (jm) 1. b.,
7 214.485 (10), 215.205 (1), 218.10 (8m), 234.622 (7), 340.01 (18m), 340.01 (29),
8 340.01 (48r), 341.12 (1), 343.055 (1) (d), 346.94 (8), 346.94 (8m), 347.15 (2),
9 347.35 (4), 347.45 (1), 347.47 (2), 347.47 (4), 348.06 (1), 348.07 (2) (c), 348.07 (3)
10 (a), 348.10 (5) (intro.), 348.10 (5) (a), 348.10 (5) (c), 348.26 (4), 348.27 (7), 348.27
11 (7m), 349.03 (2), 422.201 (12m), 422.202 (2) (intro.), 422.209 (1m) (a) 2., 422.209
12 (6m), 422.402 (5) (intro.), 422.402 (5) (b), 422.413 (2g) (intro.), 424.301 (1) (b) 1.,
13 707.02 (4), 710.15 (title), 710.15 (1) (b), 710.15 (1) (c), 710.15 (1) (d), 710.15 (1)
14 (f), 710.15 (1m), 710.15 (2), 710.15 (2m) (a), 710.15 (2m) (b), 710.15 (3), 710.15
15 (4), 710.15 (4m), 710.15 (5m) (intro.), 710.15 (5m) (a), 710.15 (5m) (e), 710.15
16 (5m) (em), 710.15 (5m) (f), 710.15 (5m) (g), 710.15 (5m) (h), 861.21 (1) (b), 941.20
17 (1) (d) and 990.01 (14); and **to create** 66.0435 (1) (cm), 66.0435 (3) (c) 9., 70.111
18 (19) (c), 101.937 (2m), 138.056 (1) (bd), 340.01 (27k), 340.01 (27m) and 710.15
19 (1) (am) of the statutes; **relating to:** revisions in terminology that affect mobile
20 homes, manufactured homes, modular homes, manufactured buildings,
21 recreational vehicles, and mobile and manufactured home communities, and

SENATE BILL 688

1 changes that apply to monthly fees collected by certain local governmental
2 units.

Analysis by the Legislative Reference Bureau

This bill makes numerous changes to laws governing mobile homes, manufactured homes, and the mobile and manufactured housing industry. The changes primarily include the following:

Definitions of “mobile home” and “manufactured home”

Under current law, there are several different definitions of the term “mobile home” and of the term “manufactured home.” Also, under current law, “mobile home” is often used as a general term that includes “manufactured home.” Because of changes in the mid-1970s in federal laws that define and regulate mobile and manufactured homes, only manufactured homes as defined under current federal law are being constructed today. This bill creates a single definition for “mobile home” and a single definition for “manufactured home” that apply more generally throughout the statutes by doing the following:

1. The bill establishes the definition of “mobile home” that is used in the subchapter of the statutes regulating the mobile and manufactured housing industry as the general definition of “mobile home” in the statutes. Thus, under the bill, a mobile home generally means a vehicle manufactured or assembled before June 15, 1976, that has an overall length of more than 45 feet, that is designed to be towed as a single unit or in sections on a highway by a motor vehicle, that has walls of rigid noncollapsible construction, and that is equipped and used, or intended to be used, primarily for human habitation. Under the bill, “mobile home” includes the mobile home structure, its plumbing, heating, air conditioning, and electrical systems, and all appliances and all other equipment carrying a manufacturer’s warranty.

2. The bill establishes the definition of “manufactured home” that is used in the subchapter of the statutes regulating the mobile and manufactured housing industry as the general definition of “manufactured home” in the statutes. Thus, under the bill, a manufactured home generally means either a mobile home or a structure designed to be used as a dwelling, either with or without a permanent foundation, that complies with the federal standards established for manufactured homes.

In addition, the bill makes the use of these terms more consistent with their definitions by doing the following:

1. The bill inserts references to “manufactured home” in certain places in current law that refer only to “mobile home” if the use of mobile home under current law is general and meant to include manufactured homes. The bill also inserts references to “manufactured home” in the statutes governing the treatment, for property and other tax purposes, of mobile and manufactured homes as either improvements to real property or as personal property.

SENATE BILL 688

2. The bill changes references to “mobile home” to be references to “manufactured home” in certain statutes that pertain only to structures that are newly constructed, since under federal law only manufactured homes are now being constructed.

3. The bill changes references to “manufactured buildings” to be references to “modular homes.” Under current law, such buildings are those that are intended for use as a dwelling, are of closed construction, and are fabricated or assembled in manufacturing facilities for installation at the building site or they are of open construction and are made or assembled in manufacturing facilities away from the building site for installation on the building site for which certification is sought by the manufacturer.

Monthly fees

Current law requires each city, town, or village (municipality) in which a mobile home park is located to collect from each mobile home occupying space in the park a monthly parking permit fee. The fee is calculated based on the value of the home multiplied by the general property gross tax rate, less certain credits. The total is divided by 12 to represent the monthly mobile home parking permit fee. Current law provides that the municipality may require the mobile home park operator to collect the fee from the mobile home owner.

The bill also replaces the term “parking” wherever it appears in the phrase “monthly parking permit fee” in the statutes with the term “municipal,” so that the fee is called a “monthly municipal permit fee.”

Regulation of recreational vehicles

The bill makes minor modifications to the definition of “recreational vehicle,” and generally clarifies the applicability of certain vehicle regulations to recreational vehicles. The bill also uses the term “recreational vehicle” in place of “mobile home” where “mobile home” is used to refer to temporary living quarters.

Regulation of manufactured home communities

Under current law manufactured home communities and mobile home parks are regulated by the Department of Commerce (commerce) and by the municipality in which the community or park is located. Generally, under current law, the terms “manufactured home community” and “mobile home park” are used in the statutes to describe similar places.

For purposes of regulation by Commerce, current law provides that a manufactured home community is any plot of ground upon which three or more manufactured homes that are occupied for dwelling or sleeping purposes are located. For purposes of regulation by the local municipality, current law provides that a mobile home park means any plot of ground upon which two or more units, occupied for dwelling or sleeping purposes are located. Consistent with regulation by Commerce, this bill increases from two to three the number of mobile or manufactured homes that must be located on a plot of ground before the ground is subject to regulation by the municipality in which the ground is located.

This bill also replaces the term “park” with “community” throughout the statutes where the term is used in reference to mobile home or manufactured home parks.

SENATE BILL 688***Sewer and water service to manufactured housing communities***

This bill prohibits any public utility that provides metered water service to a manufactured home community as a whole via a single master meter from charging a fee for water lost in distribution between the master meter and the unit meters, except to the extent that the loss exceeds the public utility's system-wide rate of loss.

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

1 **SECTION 1.** 30.40 (6) of the statutes is amended to read:

2 30.40 **(6)** “Mobile home” means ~~a prefabricated unit with walls of rigid~~
3 ~~construction that is designed to be towed as a single unit or in sections upon a~~
4 ~~highway by a motor vehicle and that is used or is intended to be used for human~~
5 ~~habitation~~ has the meaning given in s. 101.91 (10).

6 **SECTION 2.** 45.71 (12) (intro.) of the statutes is amended to read:

7 45.71 **(12)** (intro.) “Manufactured home” means a ~~structure, as defined by the~~
8 ~~Federal Home Loan Mortgage Corporation~~ manufactured home, as defined in s.
9 101.91 (2), which:

10 **SECTION 3.** 49.47 (4) (b) 1. of the statutes is amended to read:

11 49.47 **(4)** (b) 1. A home and the land used and operated in connection therewith
12 or in lieu thereof a manufactured home or mobile home, if the home ~~or~~, manufactured
13 home, or mobile home is used as the person's or his or her family's place of abode.

14 **SECTION 4.** 59.69 (4) (d) of the statutes is amended to read:

15 59.69 **(4)** (d) Trailer camps, or tourist camps and, motels ~~or both~~, and
16 manufactured and mobile home parks communities.

17 **SECTION 5.** 66.0435 (title) of the statutes is amended to read:

18 **66.0435** (title) **Mobile Manufactured and mobile home parks**
19 **communities.**

SENATE BILL 688**SECTION 6**

1 **SECTION 6.** 66.0435 (1) (a) of the statutes is repealed.

2 **SECTION 7.** 66.0435 (1) (b) and (c) of the statutes are amended to read:

3 66.0435 (1) (b) “Licensee” means any person licensed to operate and maintain
4 a manufactured and mobile home park community under this section.

5 (c) “Licensing authority” means the city, town or village wherein a
6 manufactured and mobile home park community is located.

7 **SECTION 8.** 66.0435 (1) (cm) of the statutes is created to read:

8 66.0435 (1) (cm) “Manufactured home” has the meaning given in s. 101.91 (2).

9 **SECTION 9.** 66.0435 (1) (d) and (e) of the statutes are amended to read:

10 66.0435 (1) (d) “Mobile home” ~~is that which is, or was as originally constructed,~~
11 ~~designed to be transported by any motor vehicle upon a public highway and designed,~~
12 ~~equipped and used primarily for sleeping, eating and living quarters, or is intended~~
13 ~~to be so used; and includes any additions, attachments, annexes, foundations and~~
14 ~~appurtenances~~ has the meaning given in s. 101.91 (10).

15 (e) “Mobile Manufactured and mobile home park community” means any plot
16 or plots of ground upon which ~~2~~ 3 or more units manufactured homes or mobile
17 homes, occupied for dwelling or sleeping purposes, are located, regardless of whether
18 a charge is made for the accommodation.

19 **SECTION 10.** 66.0435 (1) (f) of the statutes is repealed.

20 **SECTION 11.** 66.0435 (1) (g) of the statutes is renumbered 66.0435 (1) (am) and
21 amended to read:

22 66.0435 (1) (am) “~~Park~~ Community” means a manufactured and mobile home
23 park community.

24 **SECTION 12.** 66.0435 (1) (i) and (j) of the statutes are amended to read:

SENATE BILL 688

1 66.0435 (1) (i) "Space" means a plot of ground within a manufactured and
2 mobile home park community, designed for the accommodation of one manufactured
3 or mobile home unit.

4 (j) "Unit" means a single manufactured or mobile home unit.

5 **SECTION 13.** 66.0435 (2) (a) of the statutes is amended to read:

6 66.0435 (2) (a) It is unlawful for any person to maintain or operate a ~~mobile~~
7 ~~home park~~ community within the limits of a city, town or village, unless the person
8 has received a license from the city, town or village.

9 **SECTION 14.** 66.0435 (2) (b) of the statutes is amended to read:

10 66.0435 (2) (b) In order to protect and promote the public health, morals and
11 welfare and to equitably defray the cost of municipal and educational services
12 required by persons and families using ~~or occupying trailers, mobile homes, trailer~~
13 ~~camp~~ ~~or mobile home parks~~ communities for living, dwelling or sleeping purposes,
14 a city council, village board and town board may do any of the following:

15 1. Establish and enforce by ordinance reasonable standards and regulations
16 for every ~~trailer and trailer camp and every mobile home and mobile home park~~
17 community.

18 2. Require an annual license fee to operate a ~~trailer and trailer camp or mobile~~
19 ~~home and mobile home park~~ community and levy and collect special assessments to
20 defray the cost of municipal and educational services furnished to the ~~trailer and~~
21 ~~trailer camp, or mobile home and mobile home park~~ a community.

22 3. Limit the number of units, ~~trailers or mobile homes~~ that may be parked or
23 kept located in any one ~~camp or park~~ community.

24 4. Limit the number of licenses for ~~trailer camps or parks~~ communities in any
25 common school district, if the ~~mobile housing development of a~~ community would

SENATE BILL 688**SECTION 14**

1 cause the school costs to increase above the state average or if an exceedingly difficult
2 or impossible situation exists with regard to providing adequate and proper sewage
3 disposal in the particular area.

4 **SECTION 15.** 66.0435 (2) (c) of the statutes is amended to read:

5 66.0435 (2) (c) In a town in which the town board enacts an ordinance
6 regulating ~~trailers~~ manufactured and mobile homes under this section and has also
7 enacted and approved a county zoning ordinance under the provisions of s. 59.69, the
8 provisions of the ordinance which is most restrictive apply with respect to the
9 establishment and operation of a ~~trailer camp~~ community in the town.

10 **SECTION 16.** 66.0435 (2) (d) of the statutes is amended to read:

11 66.0435 (2) (d) A license granted under this section is subject to revocation or
12 suspension for cause by the licensing authority that issued the license upon
13 complaint filed with the clerk of the licensing authority, if the complaint is signed by
14 a law enforcement officer, local health officer, as defined in s. 250.01 (5), or building
15 inspector, after a public hearing upon the complaint. The holder of the license shall
16 be given 10 days' written notice of the hearing, and is entitled to appear and be heard
17 as to why the license should not be revoked. A holder of a license that is revoked or
18 suspended by the licensing authority may within 20 days of the date of the revocation
19 or suspension appeal the decision to the circuit court of the county in which the ~~trailer~~
20 ~~camp or mobile home park~~ community is located by filing a written notice of appeal
21 with the clerk of the licensing authority, together with a bond executed to the
22 licensing authority, in the sum of \$500 with 2 sureties or a bonding company
23 approved by the clerk, conditioned for the faithful prosecution of the appeal and the
24 payment of costs adjudged against the license holder.

25 **SECTION 17.** 66.0435 (3) (title) of the statutes is amended to read:

SENATE BILL 688

1 66.0435 (3) (title) ~~LICENSE AND MONTHLY MOBILE HOME~~ MONTHLY MUNICIPAL PERMIT
2 FEE; REVIEW.

3 **SECTION 18.** 66.0435 (3) (a) of the statutes is amended to read:

4 66.0435 (3) (a) The licensing authority shall collect from the licensee an annual
5 license fee of not less than \$25 nor more than \$100 for each 50 spaces or fraction of
6 50 spaces within each ~~mobile home park~~ community within its limits. If the ~~park~~
7 community lies in more than one municipality the amount of the license fee shall be
8 determined by multiplying the gross fee by a fraction the numerator of which is the
9 number of spaces in the ~~park~~ community in a municipality and the denominator of
10 which is the entire number of spaces in the ~~park~~ community.

11 **SECTION 19.** 66.0435 (3) (c) 1. (intro.) of the statutes, as affected by 2005
12 Wisconsin Act (Senate Bill 404), is amended to read:

13 66.0435 (3) (c) 1. (intro.) In addition to the license fee provided in pars. (a) and
14 (b), each licensing authority shall collect from each ~~mobile home~~ unit occupying space
15 or lots in a ~~park~~ community in the licensing authority, except from recreational
16 mobile homes as provided under par. (cm), from manufactured and mobile homes
17 that constitute improvements to real property under s. 70.043 (1), and from
18 recreational vehicles as defined in s. 340.01 (48r), and from camping trailers as
19 defined in s. 340.01 (6m), a monthly parking permit fee computed as follows:

20 **SECTION 20.** 66.0435 (3) (c) 1. a. of the statutes is amended to read:

21 66.0435 (3) (c) 1. a. On January 1, the assessor shall determine the total fair
22 market value of each ~~mobile home~~ unit in the taxation district subject to the monthly
23 ~~parking~~ municipal permit fee.

24 **SECTION 21.** 66.0435 (3) (c) 1. c. of the statutes is amended to read:

SENATE BILL 688**SECTION 21**

1 66.0435 (3) (c) 1. c. The value of each ~~mobile home~~ unit, determined under subd.
2 1. b., shall be multiplied by the general property gross tax rate, less any credit rate
3 for the property tax relief credit, established on the preceding year's assessment of
4 general property.

5 **SECTION 22.** 66.0435 (3) (c) 1. d. of the statutes is amended to read:

6 66.0435 (3) (c) 1. d. The total annual ~~parking~~ permit fee, computed under subd.
7 1. c., shall be divided by 12 and shall represent the monthly ~~mobile home parking~~
8 municipal permit fee.

9 **SECTION 23.** 66.0435 (3) (c) 2. of the statutes is amended to read:

10 66.0435 (3) (c) 2. The monthly ~~parking~~ municipal permit fee is applicable to
11 ~~mobile homes~~ units moving into the tax district any time during the year. The ~~park~~
12 community operator shall furnish information to the tax district clerk and the
13 assessor on ~~mobile homes~~ units added to the ~~park~~ community within 5 days after
14 their arrival, on forms prescribed by the department of revenue. As soon as the
15 assessor receives the notice of an addition of a ~~mobile home~~ unit to a ~~park~~ community,
16 the assessor shall determine its fair market value and notify the clerk of that
17 determination. The clerk shall equate the fair market value established by the
18 assessor and shall apply the appropriate tax rate, divide the annual ~~parking~~ permit
19 fee thus determined by 12 and notify the ~~mobile home~~ unit owner of the monthly fee
20 to be collected from the ~~mobile home~~ unit owner. Liability for payment of the fee
21 begins on the first day of the next succeeding month and continues for the months
22 in which the ~~mobile home~~ unit remains in the tax district.

23 **SECTION 24.** 66.0435 (3) (c) 3. of the statutes is amended to read:

SENATE BILL 688

1 66.0435 (3) (c) 3. A new monthly ~~parking~~ municipal permit fee and a new
2 valuation shall be established each January and shall continue for that calendar
3 year.

4 **SECTION 25.** 66.0435 (3) (c) 5. and 6. of the statutes are amended to read:

5 66.0435 (3) (c) 5. The monthly ~~parking~~ municipal permit fee shall be paid by
6 the ~~mobile home~~ unit owner to the local taxing authority on or before the 10th of the
7 month following the month for which the ~~parking~~ monthly municipal permit fee is
8 due.

9 6. The licensee of a ~~park~~ community is liable for the monthly ~~parking~~ municipal
10 permit fee for any ~~mobile home~~ unit occupying space in the ~~park~~ community as well
11 as the owner and occupant of the ~~mobile home occupying space~~ each such unit, except
12 that the licensee is not liable until the licensing authority has failed, in an action
13 under ch. 799, to collect the fee from the owner and occupant of the unit. A
14 municipality, by ordinance, may require the ~~mobile home~~ park community operator
15 to collect the monthly ~~parking~~ municipal permit fee from the ~~mobile home~~ unit
16 owner.

17 **SECTION 26.** 66.0435 (3) (c) 7. of the statutes is repealed.

18 **SECTION 27.** 66.0435 (3) (c) 8. of the statutes is amended to read:

19 66.0435 (3) (c) 8. The credit under s. 79.10 (9) (bm), as it applies to the principal
20 dwelling on a parcel of taxable property, applies to the estimated fair market value
21 of a ~~mobile home~~ unit that is the principal dwelling of the owner. The owner of the
22 ~~mobile home~~ unit shall file a claim for the credit with the treasurer of the
23 municipality in which the property is located. To obtain the credit under s. 79.10 (9)
24 (bm), the owner shall attest on the claim that the ~~mobile home~~ unit is the owner's
25 principal dwelling. The treasurer shall reduce the owner's ~~parking~~ monthly

SENATE BILL 688**SECTION 27**

1 municipal permit fee by the amount of any allowable credit. The treasurer shall
2 furnish notice of all claims for credits filed under this subdivision to the department
3 of revenue as provided under s. 79.10 (1m).

4 **SECTION 28.** 66.0435 (3) (c) 9. of the statutes is created to read:

5 66.0435 (3) (c) 9. No monthly municipal permit fee may be imposed on a
6 financial institution, as defined in s. 69.30 (1) (b), that relates to a vacant unit that
7 has been repossessed by the financial institution.

8 **SECTION 29.** 66.0435 (3) (d) to (f) of the statutes are amended to read:

9 66.0435 (3) (d) This section does not apply to a ~~mobile home park~~ community
10 that is owned and operated by any county under the provisions of s. 59.52 (16) (b).

11 (e) If a ~~mobile home~~ unit is permitted by local ordinance to be located outside
12 of a licensed ~~park~~ community, the monthly ~~parking~~ municipal permit fee shall be
13 paid by the owner of the land on which it stands, and the owner of the land shall
14 comply with the reporting requirements of par. (c). The owner of the land may collect
15 the fee from the owner of the ~~mobile home~~ unit and, on or before January 10 and on
16 or before July 10, shall transmit to the taxation district all fees owed for the 6 months
17 ending on the last day of the month preceding the month when the transmission is
18 required.

19 (f) Nothing in this subsection prohibits the regulation by local ordinance of a
20 ~~mobile home park~~ community.

21 **SECTION 30.** 66.0435 (3m) of the statutes is amended to read:

22 66.0435 (3m) ~~PARK~~ COMMUNITY OPERATOR REIMBURSEMENT. A ~~park~~ community
23 operator who is required by ~~municipal ordinance to collect the~~ collects a monthly
24 ~~parking~~ municipal permit fee from the ~~mobile home~~ a unit owner may deduct, for
25 administrative expenses, ~~2%~~ 2 percent of the monthly fees collected.

SENATE BILL 688

1 **SECTION 31.** 66.0435 (4) (intro.) of the statutes is amended to read:

2 66.0435 (4) APPLICATION FOR LICENSE. (intro.) Original application for ~~mobile~~
3 ~~home park~~ a community license shall be filed with the clerk of the licensing authority.
4 Applications shall be in writing, signed by the applicant and shall contain the
5 following:

6 **SECTION 32.** 66.0435 (4) (b) of the statutes is amended to read:

7 66.0435 (4) (b) The location and legal description of the ~~mobile home park~~
8 community.

9 **SECTION 33.** 66.0435 (4) (c) of the statutes is amended to read:

10 66.0435 (4) (c) The complete plan of the ~~park~~ community.

11 **SECTION 34.** 66.0435 (5) of the statutes is repealed.

12 **SECTION 35.** 66.0435 (8) of the statutes is amended to read:

13 66.0435 (8) DISTRIBUTION OF FEES. The licensing authority may retain ~~10%~~ 10
14 percent of the monthly ~~parking~~ municipal permit fees collected in each month,
15 without reduction for any amounts deducted under sub. (3m), to cover the cost of
16 administration. The licensing authority shall pay to the school district in which the
17 ~~park~~ community is located, within 20 days after the end of each month, such
18 proportion of the remainder of the fees collected in the preceding month as the ratio
19 of the most recent property tax levy for school purposes bears to the total tax levy for
20 all purposes in the licensing authority. If the ~~park~~ community is located in more than
21 one school district, each district shall receive a share in the proportion that its
22 property tax levy for school purposes bears to the total school tax levy.

23 **SECTION 36.** 66.0435 (9) of the statutes, as affected by 2005 Wisconsin Act

24 (Senate Bill 404), is amended to read:

SENATE BILL 688**SECTION 36**

1 66.0435 (9) MUNICIPALITIES; ~~PARKING~~ MONTHLY MUNICIPAL PERMIT FEES ON MOBILE
2 HOMES AND RECREATIONAL VEHICLES. A licensing authority may assess ~~parking~~
3 monthly municipal permit fees at the rates under this section on recreational mobile
4 homes and recreational vehicles, as defined in s. 340.01 (48r), except recreational
5 mobile homes ~~which~~ and recreational vehicles that are located in campgrounds
6 licensed under s. 254.47, recreational mobile homes that constitute improvements
7 to real property under s. 70.043 (1), and recreational mobile homes ~~which or~~
8 recreational vehicles that are located on land where the principal residence of the
9 owner of the recreational mobile home or recreational vehicle is located, regardless
10 of whether the recreational mobile home or recreational vehicle is occupied during
11 all or part of any calendar year.

12 **SECTION 37.** 66.0809 (3) of the statutes is amended to read:

13 66.0809 (3) Except as provided in subs. (4) and (5), on October 15 in each year
14 notice shall be given to the owner or occupant of all lots or parcels of real estate to
15 which utility service has been furnished prior to October 1 by a public utility operated
16 by a town, city or village and payment for which is owing and in arrears at the time
17 of giving the notice. The department in charge of the utility shall furnish the
18 treasurer with a list of the lots or parcels of real estate for which utility service
19 charges are in arrears, and the notice shall be given by the treasurer, unless the
20 governing body of the city, village or town authorizes notice to be given directly by
21 the department. The notice shall be in writing and shall state the amount of arrears,
22 including any penalty assessed pursuant to the rules of the utility; that unless the
23 amount is paid by November 1 a penalty of ~~10%~~ 10 percent of the amount of arrears
24 will be added; and that unless the arrears, with any added penalty, are paid by
25 November 15, the arrears and penalty will be levied as a tax against the lot or parcel

SENATE BILL 688

1 of real estate to which utility service was furnished and for which payment is
2 delinquent. The notice may be served by delivery to either the owner or occupant
3 personally, or by letter addressed to the owner or occupant at the post-office address
4 of the lot or parcel of real estate. On November 16 the officer or department issuing
5 the notice shall certify and file with the clerk a list of all lots or parcels of real estate,
6 giving the legal description, for which notice of arrears was given and for which
7 arrears remain unpaid, stating the amount of arrears and penalty. Each delinquent
8 amount, including the penalty, becomes a lien upon the lot or parcel of real estate to
9 which the utility service was furnished and payment for which is delinquent, and the
10 clerk shall insert the delinquent amount and penalty as a tax against the lot or parcel
11 of real estate. All proceedings in relation to the collection of general property taxes
12 and to the return and sale of property for delinquent taxes apply to the tax if it is not
13 paid within the time required by law for payment of taxes upon real estate. Under
14 this subsection, if an arrearage is for utility service furnished and metered by the
15 utility directly to a manufactured home or mobile home unit in a licensed
16 manufactured and mobile home park community, the notice shall be given to the
17 owner of the manufactured home or mobile home unit and the delinquent amount
18 becomes a lien on the manufactured home or mobile home unit rather than a lien on
19 the parcel of real estate on which the manufactured home or mobile home unit is
20 located. A lien on a manufactured home or mobile home unit may be enforced using
21 the procedures under s. 779.48 (2). This subsection does not apply to arrearages
22 collected using the procedure under s. 66.0627. In this subsection, "metered" means
23 the use of any method to ascertain the amount of service used or the use of a flat rate
24 billing method.

25 **SECTION 38.** 66.1019 (2) of the statutes is amended to read:

SENATE BILL 688**SECTION 38**

1 66.1019 ~~(2) MANUFACTURED BUILDING~~ MODULAR HOME CODE. Ordinances enacted
2 by any county, city, village or town relating to the on-site inspection of the
3 installation of ~~manufactured buildings~~ modular homes shall conform to subch. III of
4 ch. 101.

5 **SECTION 39.** 70.043 of the statutes is amended to read:

6 **70.043 Mobile homes and manufactured homes.** (1) A mobile home, as
7 defined in s. ~~66.0435 (1) (d)~~ 101.91 (10), or a manufactured home, as defined in s.
8 101.91 (2), is an improvement to real property if it is connected to utilities and is set
9 upon a foundation upon land which is owned by the mobile home or manufactured
10 home owner. In this section, a mobile home or manufactured home is “set upon a
11 foundation” if it is off its wheels and is set upon some other support.

12 (2) A mobile home, as defined in s. ~~66.0435 (1) (d)~~ 101.91 (10), or a
13 manufactured home, as defined in s. 101.91 (2), is personal property if the land upon
14 which it is located is not owned by the mobile home or manufactured home owner or
15 if the mobile home or manufactured home is not set upon a foundation or connected
16 to utilities.

17 **SECTION 40.** 70.111 (19) (title) of the statutes is amended to read:

18 70.111 **(19)** (title) CAMPING TRAILERS AND RECREATIONAL MOBILE HOMES, AND
19 RECREATIONAL VEHICLES.

20 **SECTION 41.** 70.111 (19) (c) of the statutes is created to read:

21 70.111 **(19)** (c) Recreational vehicles, as defined in s. 340.01 (48r).

22 **SECTION 42.** 70.112 (7) of the statutes is amended to read:

23 70.112 **(7)** MOBILE HOMES AND MANUFACTURED HOMES. Every ~~mobile home unit,~~
24 as defined in s. 66.0435 (1) (j), that is subject to a monthly parking municipal permit
25 fee under s. 66.0435 ~~(3).~~

SENATE BILL 688

1 **SECTION 43.** 71.07 (6e) (a) 5. of the statutes, as affected by 2005 Wisconsin Act
2 72, is amended to read:

3 71.07 **(6e)** (a) 5. “Property taxes” means real and personal property taxes,
4 exclusive of special assessments, delinquent interest, and charges for service, paid
5 by a claimant, and the claimant’s spouse if filing a joint return, on the eligible
6 veteran’s or unremarried surviving spouse’s principal dwelling in this state during
7 the taxable year for which credit under this subsection is claimed, less any property
8 taxes paid which are properly includable as a trade or business expense under
9 section 162 of the Internal Revenue Code. If the principal dwelling on which the
10 taxes were paid is owned by 2 or more persons or entities as joint tenants or tenants
11 in common or is owned by spouses as marital property, “property taxes” is that part
12 of property taxes paid that reflects the ownership percentage of the claimant, except
13 that this limitation does not apply to spouses who file a joint return. If the principal
14 dwelling is sold during the taxable year, the “property taxes” for the seller and buyer
15 shall be the amount of the tax prorated to each in the closing agreement pertaining
16 to the sale or, if not so provided for in the closing agreement, the tax shall be prorated
17 between the seller and buyer in proportion to months of their respective ownership.
18 “Property taxes” includes monthly parking municipal permit fees in respect to a
19 principal dwelling collected under s. 66.0435 (3) (c).

20 **SECTION 44.** 71.07 (9) (a) 3. of the statutes is amended to read:

21 71.07 **(9)** (a) 3. “Property taxes” means real and personal property taxes,
22 exclusive of special assessments, delinquent interest and charges for service, paid by
23 a claimant on the claimant’s principal dwelling during the taxable year for which
24 credit under this subsection is claimed, less any property taxes paid which are
25 properly includable as a trade or business expense under section 162 of the ~~internal~~

SENATE BILL 688**SECTION 44**

1 revenue code Internal Revenue Code. If the principal dwelling on which the taxes
2 were paid is owned by 2 or more persons or entities as joint tenants or tenants in
3 common or is owned by spouses as marital property, “property taxes” is that part of
4 property taxes paid that reflects the ownership percentage of the claimant. If the
5 principal dwelling is sold during the taxable year the “property taxes” for the seller
6 and buyer shall be the amount of the tax prorated to each in the closing agreement
7 pertaining to the sale or, if not so provided for in the closing agreement, the tax shall
8 be prorated between the seller and buyer in proportion to months of their respective
9 ownership. “Property taxes” includes monthly ~~parking~~ municipal permit fees in
10 respect to a principal dwelling collected under s. 66.0435 (3) (c).

11 **SECTION 45.** 71.07 (9) (a) 4. of the statutes is amended to read:

12 71.07 (9) (a) 4. “Rent constituting property taxes” means ~~25%~~ 25 percent of rent
13 if heat is not included, or ~~20%~~ 20 percent of rent if heat is included, paid during the
14 taxable year for which credit is claimed under this subsection, at arm’s length, for
15 the use of a principal dwelling and contiguous land, excluding any payment for
16 domestic, food, medical or other services which are unrelated to use of the dwelling
17 as housing, less any rent paid that is properly includable as a trade or business
18 expense under the internal revenue code. “Rent” includes space rental paid to a
19 landlord for parking a mobile home or manufactured home. Rent shall be
20 apportioned among the occupants of a principal dwelling according to their
21 respective contribution to the total amount of rent paid. “Rent” does not include rent
22 paid for the use of housing which was exempt from property taxation, except housing
23 for which payments in lieu of taxes were made under s. 66.1201 (22).

24 **SECTION 46.** 71.52 (2) of the statutes is amended to read:

SENATE BILL 688

1 71.52 (2) “Gross rent” means rental paid at arm’s length, solely for the right
2 of occupancy of a homestead. “Gross rent” does not include, whether expressly set
3 out in the rental agreement or not, charges for any medical services; other personal
4 services such as laundry, transportation, counseling, grooming, recreational and
5 therapeutic services; shared living expenses, including but not limited to food,
6 supplies and utilities unless utility payments are included in the gross rent paid to
7 the landlord; and food furnished by the landlord as a part of the rental agreement.
8 “Gross rent” includes the rental paid to a landlord for parking of a mobile home or
9 manufactured home, exclusive of any charges for food furnished by the landlord as
10 a part of the rental agreement, plus ~~parking~~ monthly municipal permit fees paid
11 under s. 66.0435 (3) (c) for a rented mobile home or manufactured home. If a
12 homestead is an integral part of a multipurpose or multidwelling building, “gross
13 rent” is the percentage of the gross rent on that part of the multipurpose or
14 multidwelling building occupied by the household as a principal residence plus the
15 same percentage of the gross rent on the land surrounding it, not exceeding one acre,
16 that is reasonably necessary for use of the multipurpose or multidwelling building
17 as a principal residence, except as the limitations under s. 71.54 (2) (b) apply. If the
18 homestead is part of a farm, “gross rent” is the rent on up to 120 acres of the land
19 contiguous to the claimant’s principal residence plus the rent on all improvements
20 to real property on that land, except as the limitations under s. 71.54 (2) (b) apply.
21 If a claimant and persons who are not members of the claimant’s household reside
22 in a homestead, the claimant’s “gross rent” is the gross rent paid by the claimant to
23 the landlord for the homestead.

24 **SECTION 47.** 71.52 (7) of the statutes is amended to read:

SENATE BILL 688**SECTION 47**

1 71.52 (7) “Property taxes accrued” means real or personal property taxes or
2 monthly parking municipal permit fees under s. 66.0435 (3) (c), exclusive of special
3 assessments, delinquent interest and charges for service, levied on a homestead
4 owned by the claimant or a member of the claimant’s household. “Real or personal
5 property taxes” means those levied under ch. 70, less the tax credit, if any, afforded
6 in respect of such property by s. 79.10. If a homestead is owned by 2 or more persons
7 or entities as joint tenants or tenants in common or is owned as marital property or
8 survivorship marital property and one or more such persons, entities or owners is not
9 a member of the claimant’s household, property taxes accrued is that part of property
10 taxes accrued levied on such homestead, reduced by the tax credit under s. 79.10,
11 that reflects the ownership percentage of the claimant and the claimant’s household,
12 except that if a homestead is owned by 2 or more natural persons or if 2 or more
13 natural persons have an interest in a homestead, one or more of whom is not a
14 member of the claimant’s household, and the claimant has a present interest, as that
15 term is used in s. 700.03 (1), in the homestead and is required by the terms of a will
16 that transferred the homestead or interest in the homestead to the claimant to pay
17 the entire amount of property taxes levied on the homestead, property taxes accrued
18 is property taxes accrued levied on such homestead, reduced by the tax credit under
19 s. 79.10. A marital property agreement or unilateral statement under ch. 766 has
20 no effect in computing property taxes accrued for a person whose homestead is not
21 the same as the homestead of that person’s spouse. For purposes of this subsection,
22 property taxes are “levied” when the tax roll is delivered to the local treasurer for
23 collection. If a homestead is sold or purchased during the calendar year of the levy,
24 the property taxes accrued for the seller and the buyer are the amount of the tax levy
25 prorated to each in proportion to the periods of time each both owned and occupied

SENATE BILL 688

1 the homestead during the year to which the claim relates. The seller may use the
2 closing agreement pertaining to the sale of the homestead, the property tax bill for
3 the year before the year to which the claim relates or the property tax bill for the year
4 to which the claim relates as the basis for computing property taxes accrued, but
5 those taxes are allowable only for the portion of the year during which the seller
6 owned and occupied the sold homestead. If a household owns and occupies 2 or more
7 homesteads in the same calendar year, property taxes accrued is the sum of the
8 prorated property taxes accrued attributable to the household for each of such
9 homesteads. If the household owns and occupies the homestead for part of the
10 calendar year and rents a homestead for part of the calendar year, it may include both
11 the proration of taxes on the homestead owned and rent constituting property taxes
12 accrued with respect to the months the homestead is rented in computing the amount
13 of the claim under s. 71.54 (1). If a homestead is an integral part of a multipurpose
14 or multidwelling building, property taxes accrued are the percentage of the property
15 taxes accrued on that part of the multipurpose or multidwelling building occupied
16 by the household as a principal residence plus that same percentage of the property
17 taxes accrued on the land surrounding it, not exceeding one acre, that is reasonably
18 necessary for use of the multipurpose or multidwelling building as a principal
19 residence, except as the limitations of s. 71.54 (2) (b) apply. If the homestead is part
20 of a farm, property taxes accrued are the property taxes accrued on up to 120 acres
21 of the land contiguous to the claimant's principal residence and include the property
22 taxes accrued on all improvements to real property located on such land, except as
23 the limitations of s. 71.54 (2) (b) apply.

24 **SECTION 48.** 77.51 (4) (b) 7. of the statutes is amended to read:

SENATE BILL 688**SECTION 48**

1 77.51 (4) (b) 7. For the sale of a ~~manufactured building~~ modular home, as
2 defined in s. 101.71 (6), ~~or a manufactured home, as defined in s. 101.91 (2)~~; at the
3 retailer’s option, except that after a retailer chooses an option, the retailer may not
4 use the other option for other sales without the department’s written approval; either
5 ~~35%~~ 35 percent of the gross receipts or an amount equal to the gross receipts minus
6 the cost of the materials that become an ingredient or component part of the building.

7 **SECTION 49.** 77.51 (13) (am) of the statutes is amended to read:

8 77.51 (13) (am) Any person making any retail sale of a motor vehicle, aircraft,
9 snowmobile, ~~mobile home not exceeding 45 feet in length~~ recreational vehicle, trailer,
10 semitrailer, all-terrain vehicle or boat registered or titled, or required to be
11 registered or titled, under the laws of this state or of the United States.

12 **SECTION 50.** 77.51 (15) (b) 6. of the statutes is amended to read:

13 77.51 (15) (b) 6. For the sale of a ~~manufactured building~~ modular home, as
14 defined in s. 101.71 (6), ~~or a manufactured home, as defined in s. 101.91 (2)~~; at the
15 retailer’s option, except that after a retailer chooses an option, the retailer may not
16 use the other option for other sales without the department’s written approval; either
17 ~~35%~~ 35 percent of the sales price or an amount equal to the sales price minus the cost
18 of the materials that become an ingredient or component part of the building.

19 **SECTION 51.** 77.52 (2) (a) 1. of the statutes is amended to read:

20 77.52 (2) (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,
21 motel operators and other persons furnishing accommodations that are available to
22 the public, irrespective of whether membership is required for use of the
23 accommodations. In this subdivision, “transient” means any person residing for a
24 continuous period of less than one month in a hotel, motel or other furnished
25 accommodations available to the public. In this subdivision, “hotel” or “motel” means

SENATE BILL 688

1 a building or group of buildings in which the public may obtain accommodations for
2 a consideration, including, without limitation, such establishments as inns, motels,
3 tourist homes, tourist houses or courts, lodging houses, rooming houses, summer
4 camps, apartment hotels, resort lodges and cabins and any other building or group
5 of buildings in which accommodations are available to the public, except
6 accommodations, including mobile homes as defined in s. ~~66.0435 (1) (d)~~ 101.91 (10),
7 manufactured homes as defined in s. 101.91 (2), and recreational vehicles as defined
8 in s. 340.01 (48r), rented for a continuous period of more than one month and
9 accommodations furnished by any hospitals, sanatoriums, or nursing homes, or by
10 corporations or associations organized and operated exclusively for religious,
11 charitable or educational purposes provided that no part of the net earnings of such
12 corporations and associations inures to the benefit of any private shareholder or
13 individual. In this subdivision, "one month" means a calendar month or 30 days,
14 whichever is less, counting the first day of the rental and not counting the last day
15 of the rental.

16 **SECTION 52.** 77.53 (17) of the statutes is amended to read:

17 77.53 (17) This section does not apply to tangible personal property purchased
18 outside this state, other than motor vehicles, boats, snowmobiles, ~~mobile homes not~~
19 ~~exceeding 45 feet in length~~ recreational vehicles, trailers, semitrailers, all-terrain
20 vehicles and airplanes registered or titled or required to be registered or titled in this
21 state, which is brought into this state by a nondomiciliary for the person's own
22 storage, use or other consumption while temporarily within this state when such
23 property is not stored, used or otherwise consumed in this state in the conduct of a
24 trade, occupation, business or profession or in the performance of personal services
25 for wages or fees.

SENATE BILL 688**SECTION 53**

1 **SECTION 53.** 77.53 (18) of the statutes is amended to read:

2 77.53 (18) This section does not apply to the storage, use or other consumption
3 in this state of household goods for personal use or to aircraft, motor vehicles, boats,
4 snowmobiles, mobile homes, manufactured homes, recreational vehicles, trailers,
5 semitrailers and all-terrain vehicles, for personal use, purchased by a
6 nondomiciliary of this state outside this state 90 days or more before bringing the
7 goods or property into this state in connection with a change of domicile to this state.

8 **SECTION 54.** 77.54 (7) (b) (intro.) of the statutes is amended to read:

9 77.54 (7) (b) (intro.) If the item transferred is a motor vehicle, snowmobile,
10 ~~mobile home not exceeding 45 feet in length~~ recreational vehicle, trailer, semitrailer,
11 all-terrain vehicle or aircraft and the item is registered or titled, or required to be
12 registered or titled, in this state or if the item is a boat that is registered or titled, or
13 required to be registered or titled, in this state or under the laws of the United States,
14 the exemption under par. (a) applies only if all of the following conditions are
15 fulfilled:

16 **SECTION 55.** 77.54 (36) of the statutes is amended to read:

17 77.54 (36) The gross receipts from the rental for a continuous period of one
18 month or more of a mobile home, as defined in s. ~~66.0435 (1) (d)~~ 101.91 (10), or a
19 manufactured home, as defined in s. 101.91 (2), that is used as a residence. In this
20 subsection, "one month" means a calendar month or 30 days, whichever is less,
21 counting the first day of the rental and not counting the last day of the rental.

22 **SECTION 56.** 77.61 (1) (a) of the statutes is amended to read:

23 77.61 (1) (a) No motor vehicle, boat, snowmobile, ~~mobile home not exceeding~~
24 ~~45 feet in length~~ recreational vehicle, trailer, semitrailer, all-terrain vehicle or

SENATE BILL 688

1 aircraft shall be registered or titled in this state unless the registrant presents proof
2 that the sales or use taxes imposed by this subchapter have been paid.

3 **SECTION 57.** 77.61 (1) (c) of the statutes is amended to read:

4 77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, ~~mobile homes~~
5 ~~not exceeding 45 feet in length~~ recreational vehicles, trailers, semitrailers,
6 all-terrain vehicles or aircraft registered or titled, or required to be registered or
7 titled, in this state purchased from persons who are not Wisconsin boat, trailer or
8 semitrailer dealers, licensed Wisconsin aircraft, motor vehicle or ~~mobile home~~
9 recreational vehicle dealers or registered Wisconsin snowmobile or all-terrain
10 vehicle dealers, the purchaser shall file a sales tax return and pay the tax prior to
11 registering or titling the motor vehicle, boat, snowmobile, ~~mobile home not exceeding~~
12 ~~45 feet in length, trailer~~ recreational vehicle, semitrailer, all-terrain vehicle or
13 aircraft in this state.

14 **SECTION 58.** 77.71 (4) of the statutes is amended to read:

15 77.71 (4) An excise tax is imposed at the rate of ~~0.5%~~ 0.5 percent in the case
16 of a county tax or at the rate under s. 77.705 or 77.706 in the case of a special district
17 tax of the sales price upon every person storing, using or otherwise consuming a
18 motor vehicle, boat, snowmobile, ~~mobile home not exceeding 45 feet in length~~
19 recreational vehicle, trailer, semitrailer, all-terrain vehicle or aircraft, if that
20 property must be registered or titled with this state and if that property is to be
21 customarily kept in a county that has in effect an ordinance under s. 77.70 or in a
22 special district that has in effect a resolution under s. 77.705 or 77.706, except that
23 if the buyer has paid a similar local sales tax in another state on a purchase of the
24 same property that tax shall be credited against the tax under this subsection.

25 **SECTION 59.** 77.78 of the statutes is amended to read:

SENATE BILL 688**SECTION 59**

1 **77.78 Registration.** No motor vehicle, boat, snowmobile, ~~mobile home not~~
2 ~~exceeding 45 feet in length~~ recreational vehicle, trailer, semitrailer, all-terrain
3 vehicle or aircraft that is required to be registered by this state may be registered or
4 titled by this state unless the registrant files a sales and use tax report and pays the
5 county tax and special district tax at the time of registering or titling to the state
6 agency that registers or titles the property. That state agency shall transmit those
7 tax revenues to the department of revenue.

8 **SECTION 60.** 77.785 (2) of the statutes is amended to read:

9 77.785 (2) Prior to registration or titling, boat, all-terrain vehicle, trailer and
10 semi-trailer dealers and licensed aircraft, motor vehicle, ~~mobile home~~ manufactured
11 home, recreational vehicle, and snowmobile dealers shall collect the taxes under this
12 subchapter on sales of items under s. 77.71 (4). The dealer shall remit those taxes
13 to the department of revenue along with payments of the taxes under subch. III.

14 **SECTION 61.** 77.995 (2) of the statutes, as affected by 2005 Wisconsin Act 25,
15 is amended to read:

16 77.995 (2) There is imposed a fee at the rate of ~~5%~~ 5 percent of the gross receipts
17 on the rental, but not for rerelease and not for rental as a service or repair replacement
18 vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of mobile homes, as
19 defined in s. 340.01 (29); of recreational vehicles, as defined in s. 340.01 (48r); of
20 motor homes, as defined in s. 340.01 (33m); and of camping trailers, as defined in s.
21 340.01 (6m) by establishments primarily engaged in short-term rental of vehicles
22 without drivers, for a period of 30 days or less, unless the sale is exempt from the sales
23 tax under s. 77.54 (1), (4), (7) (a), (7m) or (9a). There is also imposed a fee at the rate
24 of ~~5%~~ 5 percent of the gross receipts on the rental of limousines.

25 **SECTION 62.** 79.03 (3) (b) 4. a. of the statutes is amended to read:

SENATE BILL 688

1 79.03 (3) (b) 4. a. “Local general purpose taxes” means the portion of tax
2 increments collected for payment to a municipality under s. 66.1105 which is
3 attributable to that municipality’s own levy, the portion of environmental
4 remediation tax increments collected for payment to a municipality or county under
5 s. 66.1106 that is attributable to that municipality’s or county’s own levy, general
6 property taxes, excluding taxes for a county children with disabilities education
7 board, collected to finance the general purpose government unit, property taxes
8 collected for sewage and sanitary districts, ~~mobile home~~ monthly municipal permit
9 fees under s. 66.0435 (3), the proceeds of county sales and use taxes and municipal
10 and county vehicle registration fees under s. 341.35 (1).

11 **SECTION 63.** 100.21 (1) (a) of the statutes is amended to read:

12 100.21 (1) (a) “Dwelling unit” means a dwelling, as defined under s. 101.61, a
13 ~~manufactured building~~ modular home, as defined under s. 101.71 (6), a
14 manufactured home, as defined under s. 101.91 (2), or a multifamily dwelling, as
15 defined under s. 101.971 (2).

16 **SECTION 64.** Subchapter III (title) of chapter 101 [precedes 101.70] of the
17 statutes is amended to read:

CHAPTER 101**SUBCHAPTER III****MANUFACTURED BUILDING HOUSING CODE**

21 **SECTION 65.** 101.70 of the statutes is amended to read:

22 **101.70 Purpose.** The purpose of this subchapter is to establish statewide
23 standards and inspection procedures for the manufacture and installation of
24 manufactured ~~buildings for dwellings~~ and modular homes and to promote interstate
25 uniformity in standards for manufactured ~~buildings~~ and modular homes by

SENATE BILL 688**SECTION 65**

1 authorizing the department to enter into reciprocal agreements with other states
2 which that have equivalent standards.

3 **SECTION 66.** 101.71 (4) of the statutes is amended to read:

4 101.71 (4) "Installation" means the assembly of a ~~manufactured building~~
5 modular home on-site and the process of affixing a ~~manufactured building~~ modular
6 home to land, a foundation, footing or an existing building.

7 **SECTION 67.** 101.71 (6) (a) (intro.) of the statutes is amended to read:

8 101.71 (6) (a) (intro.) "~~Manufactured building~~ Modular home" means any
9 structure or component thereof which is intended for use as a dwelling and:

10 **SECTION 68.** 101.71 (6) (b) of the statutes is amended to read:

11 101.71 (6) (b) "~~Manufactured building~~ Modular home" does not mean any
12 manufactured home under s. 101.91 or any building of open construction which is not
13 subject to par. (a) 2.

14 **SECTION 69.** 101.715 of the statutes is amended to read:

15 **101.715 Application.** This subchapter applies to a dwelling the initial
16 construction of which was commenced on or after December 1, 1978, except that s.
17 101.745 applies to a ~~manufactured building~~ modular home the initial manufacture
18 of which was commenced on or after May 23, 1978.

19 **SECTION 70.** 101.72 of the statutes is amended to read:

20 **101.72 Dwelling code council.** The dwelling code council shall review the
21 standards and rules for ~~manufactured buildings~~ modular homes for dwellings and
22 recommend a statewide ~~manufactured building~~ modular home code for adoption by
23 the department which shall include rules providing for the conservation of energy in
24 the construction and maintenance of dwellings. Such rules shall take into account
25 the costs to home buyers of specific code provisions in relation to the benefits derived

SENATE BILL 688

1 therefrom. Upon its own initiative or at the request of the department, the council
2 shall consider and make recommendations to the department pertaining to rules and
3 any other matters related to this subchapter.

4 **SECTION 71.** 101.73 (1) of the statutes is amended to read:

5 101.73 (1) Adopt rules which establish standards for the use of building
6 materials, methods and equipment in the manufacture and installation of
7 ~~manufactured buildings~~ modular homes for use as dwellings or dwelling units.
8 Where feasible, the standards used shall be those nationally recognized and shall
9 apply to the dwelling and to its electrical, heating, ventilating, air conditioning and
10 other systems. Such rules shall take into account the conservation of energy in
11 construction and maintenance of dwellings and the costs to home buyers of specific
12 code provisions in relation to the benefits derived therefrom.

13 **SECTION 72.** 101.73 (1m) of the statutes is amended to read:

14 101.73 (1m) Adopt a rule which requires any ~~manufactured building~~ modular
15 home which uses electricity for space heating to be superinsulated.

16 **SECTION 73.** 101.73 (2) of the statutes is amended to read:

17 101.73 (2) Adopt rules for the examination of plans and specifications and for
18 periodic in-plant and on-site inspections of manufacturing facilities, processes,
19 fabrication, assembly and installation of ~~manufactured buildings~~ modular homes to
20 ensure that examinations and inspections are made in compliance with the rules
21 adopted for construction, electrical wiring, heating, ventilating, air conditioning and
22 other systems under ss. 101.70 to 101.77 and with the rules for indoor plumbing
23 adopted by the department under ch. 145.

24 **SECTION 74.** 101.73 (3) of the statutes is amended to read:

SENATE BILL 688**SECTION 74**

1 101.73 (3) Provide for examination of plans and specifications and in-plant
2 inspections when contracted for by the manufacturer under s. 101.75 (1) and shall
3 contract to provide on-site inspection services for the installation of ~~manufactured~~
4 ~~buildings~~ modular homes for dwellings, at municipal expense, for any municipality
5 which requires such service under s. 101.76 or 101.761.

6 **SECTION 75.** 101.73 (5) of the statutes is amended to read:

7 101.73 (5) Adopt rules for the certification, including provisions for suspension
8 and revocation thereof, of on-site inspectors of the installation of ~~manufactured~~
9 ~~buildings~~ modular homes for dwellings. Persons certified as on-site inspectors may
10 be employees of the department, a city, village, town or county or an independent
11 agency.

12 **SECTION 76.** 101.73 (6) of the statutes is amended to read:

13 101.73 (6) Adopt rules for the certification, including provisions for suspension
14 and revocation thereof, of independent inspection agencies to conduct in-plant
15 inspections of manufacturing facilities, processes, fabrication and assembly of
16 ~~manufactured buildings~~ modular homes for dwellings and to certify compliance with
17 this subchapter.

18 **SECTION 77.** 101.73 (7) of the statutes is amended to read:

19 101.73 (7) Issue or recognize an insignia of compliance for dwellings which
20 conform to the ~~manufactured building~~ modular home code.

21 **SECTION 78.** 101.73 (11) of the statutes is amended to read:

22 101.73 (11) Hear petitions regarding the ~~manufactured building~~ modular
23 home code, rules and special orders in accordance with s. 101.02 (6) (e) to (i) and (8).

24 **SECTION 79.** 101.74 (4) of the statutes is amended to read:

SENATE BILL 688

1 101.74 (4) Provide for or engage in the testing, approval and certification of
2 materials, devices and methods for the manufacture or installation of ~~manufactured~~
3 ~~buildings~~ modular homes.

4 **SECTION 80.** 101.74 (6) of the statutes is amended to read:

5 101.74 (6) Adopt rules prescribing procedures for approving new building
6 materials, devices and methods for the manufacture or installation of ~~manufactured~~
7 ~~buildings~~ modular homes for dwellings.

8 **SECTION 81.** 101.74 (7) of the statutes is amended to read:

9 101.74 (7) Enter into reciprocal agreements with other states regarding the
10 design, construction, inspection and labeling of ~~manufactured buildings~~ modular
11 homes where the laws or rules of other states meet the intent of the manufactured
12 building code and the rules promulgated under this subchapter.

13 **SECTION 82.** 101.745 (4) of the statutes is amended to read:

14 101.745 (4) REQUIREMENT. The manufacturer of a ~~manufactured building~~
15 modular home shall install a functional smoke detector on each floor level except the
16 attic or storage area of each dwelling unit.

17 **SECTION 83.** 101.75 (1) of the statutes is amended to read:

18 101.75 (1) INSPECTIONS AND COMPLIANCE. Manufacturers of ~~manufactured~~
19 ~~buildings~~ modular homes shall contract with a certified independent inspection
20 agency or the department to conduct in-plant inspections and certify compliance
21 with this subchapter. Manufacturers shall reimburse the independent inspection
22 agency in accordance with the terms of the contract or reimburse the department in
23 accordance with fees established under s. 101.73 (12). All inspections shall be
24 performed by persons certified by the department.

25 **SECTION 84.** 101.75 (2) of the statutes is amended to read:

SENATE BILL 688**SECTION 84**

1 101.75 (2) DISPLAY OF INSIGNIA REQUIRED. All ~~manufactured buildings~~ modular
2 homes manufactured, sold for initial use or installed within this state shall display,
3 in a manner determined by the department, the insignia issued or recognized under
4 ss. 101.73 (7) and 101.74 (7). All ~~manufactured buildings~~ modular homes bearing
5 such insignia shall be deemed to comply with the requirements of all building
6 ordinances and regulations of any local government except those related to zoning
7 and siting requisites including but not limited to building setback, side and rear yard
8 requirements and property line requirements.

9 **SECTION 85.** 101.75 (3) of the statutes is amended to read:

10 101.75 (3) DEPARTMENT APPROVAL OF ALTERATIONS. No person shall alter an
11 approved ~~manufactured building~~ modular home in any way prior to or during
12 installation without the approval of the department.

13 **SECTION 86.** 101.76 (1) (a) of the statutes is amended to read:

14 101.76 (1) (a) With the approval of the department, exercise jurisdiction over
15 the installation of ~~manufactured buildings~~ modular homes for dwellings by passage
16 of ordinances, provided such ordinances are in strict conformance with this
17 subchapter and the on-site inspection is performed by persons certified by the
18 department. Except as provided by s. 101.761, a county ordinance shall apply in any
19 city, village or town which has not enacted such ordinance.

20 **SECTION 87.** 101.761 (3) of the statutes is amended to read:

21 101.761 (3) The department or a county may not enforce this subchapter or an
22 ordinance adopted under s. 101.76 (1) (a) or provide inspection services in a
23 municipality unless requested to do so by a person with respect to a particular
24 ~~manufactured building~~ modular home or by the municipality. A request by a person
25 or a municipality with respect to a particular ~~manufactured building~~ modular home

SENATE BILL 688

1 does not give the department or a county authority with respect to any other
2 ~~manufactured building~~ modular home. Costs shall be collected under s. 101.76 (1)
3 (c) or ss. 101.73 (12) and 101.76 (2) from the person or municipality making the
4 request.

5 **SECTION 88.** 101.761 (5) of the statutes is amended to read:

6 101.761 (5) This section does not affect the applicability of or ordinances
7 adopted under this subchapter to manufacturers, builders and owners of
8 ~~manufactured buildings~~ modular homes located in a municipality.

9 **SECTION 89.** 101.935 (1) of the statutes is amended to read:

10 101.935 (1) The department shall license and regulate manufactured home
11 ~~parks~~ communities. The department may investigate manufactured home ~~parks~~
12 communities and, with notice, may enter and inspect private property.

13 **SECTION 90.** 101.937 (2m) of the statutes is created to read:

14 101.937 (2m) METERED SERVICE. If a public utility provides metered water
15 service to a manufactured home community as a whole via a single master meter, the
16 public utility may not charge a fee for water lost in distribution between the master
17 meter and the unit meters, except to the extent that the loss, on a percentage basis,
18 exceeds the public utility's system loss, as reflected in the records the public utility
19 is required to keep under the rules of the public service commission.

20 **SECTION 91.** 101.971 (2) of the statutes is amended to read:

21 101.971 (2) "Multifamily dwelling" means an apartment building, rowhouse,
22 town house, condominium or ~~manufactured building~~ modular home, as defined in s.
23 101.71 (6), that does not exceed 60 feet in height or 6 stories and that consists of 3
24 or more attached dwelling units the initial construction of which is begun on or after

SENATE BILL 688**SECTION 91**

1 January 1, 1993. “Multifamily dwelling” does not include a facility licensed under
2 ch. 50.

3 **SECTION 92.** 106.50 (1m) (L) of the statutes is amended to read:

4 106.50 **(1m)** (L) “Housing” means any improved property, or any portion
5 thereof, including a mobile home as defined in s. ~~66.0435 (1) (d)~~ 101.91 (10),
6 manufactured home, as defined in s. 101.91 (2), or condominium, that is used or
7 occupied, or is intended, arranged or designed to be used or occupied, as a home or
8 residence. “Housing” includes any vacant land that is offered for sale or rent for the
9 construction or location thereon of any building, structure or portion thereof that is
10 used or occupied, or is intended, arranged or designed to be used or occupied, as a
11 home or residence.

12 **SECTION 93.** 138.052 (1) (b) of the statutes is amended to read:

13 138.052 **(1)** (b) “Loan” means a loan secured by a first lien real estate mortgage
14 on, or an equivalent security interest in, a ~~one-~~ one-family to 4-family dwelling
15 which the borrower uses as his or her principal place of residence and which is made,
16 refinanced, renewed, extended or modified on or after November 1, 1981, but does
17 not include a ~~mobile~~ manufactured home transaction as defined in s. 138.056 (1) (c).

18 **SECTION 94.** 138.056 (1) (b) of the statutes is amended to read:

19 138.056 **(1)** (b) “Dwelling” includes a cooperative housing unit and a mobile
20 home or manufactured home.

21 **SECTION 95.** 138.056 (1) (bd) of the statutes is created to read:

22 138.056 **(1)** (bd) “Manufactured home” has the meaning given in s. 101.91 (2).

23 **SECTION 96.** 138.056 (1) (bm) of the statutes is amended to read:

24 138.056 **(1)** (bm) “Mobile home” ~~means a vehicle designed to be towed as a~~
25 ~~single unit or in sections upon a highway by a motor vehicle and equipped and used,~~

SENATE BILL 688

1 ~~or intended to be used, primarily for human habitation, with walls of rigid~~
2 ~~uncollapsible construction. “Mobile home” includes the mobile home structure,~~
3 ~~including the plumbing, heating and electrical systems and all appliances and all~~
4 ~~other equipment carrying a manufacturer’s warranty has the meaning given in s.~~
5 ~~101.91 (10).~~

6 **SECTION 97.** 138.056 (1) (c) of the statutes is amended to read:

7 138.056 (1) (c) “Mobile Manufactured home transaction” means a consumer
8 credit sale, as defined in s. 421.301 (9), of or a consumer loan, as defined in s. 421.301
9 (12), secured by a first lien or equivalent security interest in a mobile home or
10 manufactured home.

11 **SECTION 98.** 138.056 (1) (d) of the statutes is amended to read:

12 138.056 (1) (d) “Variable rate loan” means a ~~mobile~~ manufactured home
13 transaction or a loan as defined in s. 138.052 (1) (b), the terms of which permits the
14 interest rate to be increased or decreased.

15 **SECTION 99.** 138.056 (3m) 4. of the statutes, as affected by 2005 Wisconsin Act
16 128, is amended to read:

17 138.056 (3m) 4. The prepayment is not made in connection with the sale of a
18 dwelling or ~~mobile~~ manufactured home securing the loan.

19 **SECTION 100.** 138.09 (7) (jm) 1. b. of the statutes is amended to read:

20 138.09 (7) (jm) 1. b. The loan administration fee is charged for a consumer loan
21 that is secured primarily by an interest in real property ~~or,~~ in a mobile home, as
22 defined in s. ~~138.056 (1) (bm)~~ 101.91 (10), or in a manufactured home, as defined in
23 s. 101.91 (2).

24 **SECTION 101.** 214.485 (10) of the statutes is amended to read:

25 214.485 (10) For the purpose of mobile home or manufactured home financing.

SENATE BILL 688

1 **SECTION 102.** 215.205 (1) of the statutes is amended to read:

2 215.205 (1) Loans or obligations, or interests therein, for the purpose of mobile
3 home or manufactured home financing.

4 **SECTION 103.** 218.10 (8m) of the statutes is amended to read:

5 218.10 (8m) “Recreational vehicle” ~~means a mobile home, as defined in s.~~
6 ~~340.01 (29), that does not exceed the statutory size under s. 348.07 (2) has the~~
7 meaning given in s. 340.01 (48r).

8 **SECTION 104.** 234.622 (7) of the statutes, as affected by 2005 Wisconsin Act
9 (Assembly Bill 327), is amended to read:

10 234.622 (7) “Qualifying dwelling unit” means a dwelling unit, not including a
11 mobile home as defined in s. ~~66.0435~~ 101.91 (10), located in this state, habitable as
12 a permanent residence and to which property taxes or special assessments are, or
13 may conveniently be, allocated and up to one acre of land appertaining to it held in
14 the same ownership as the dwelling unit. For purposes of ss. 234.621 to 234.626,
15 “qualifying dwelling unit” includes a unit in a condominium or in a cooperative or an
16 unincorporated cooperative association or in a ~~multi-unit~~ multiunit dwelling with
17 4 or fewer units, but in all of these 3 cases only the portion of taxes or special
18 assessments allocable to the unit lived in by the participant may qualify for loans
19 under ss. 234.621 to 234.626.

20 **SECTION 105.** 340.01 (18m) of the statutes is amended to read:

21 340.01 (18m) “Fifth-wheel ~~mobile home~~ recreational vehicle” means a mobile
22 ~~home as defined in sub. (29) which~~ recreational vehicle that is towed by a vehicle with
23 a flatbed frame so the trailer hitch of the ~~mobile home~~ recreational vehicle is bolted
24 to the flatbed frame of the towing vehicle.

25 **SECTION 106.** 340.01 (27k) of the statutes is created to read:

SENATE BILL 688**SECTION 106**

1 340.01 **(27k)** “Modular home” has the meaning given in s. 101.71 (6).

2 **SECTION 107.** 340.01 (27m) of the statutes is created to read:

3 340.01 **(27m)** “Manufactured home” has the meaning given in s. 101.91 (2).

4 **SECTION 108.** 340.01 (29) of the statutes is amended to read:

5 340.01 **(29)** “Mobile home” ~~means a vehicle designed to be towed as a single unit~~
6 ~~or in sections upon a highway by a motor vehicle and equipped and used or intended~~
7 ~~to be used, primarily for human habitation, with walls of rigid uncollapsible~~
8 ~~construction~~ has the meaning given in s. 101.91 (10).

9 **SECTION 109.** 340.01 (48r) of the statutes is amended to read:

10 340.01 **(48r)** “Recreational vehicle” ~~means a mobile home that does not exceed~~
11 ~~the statutory size under s. 348.07 (2)~~ vehicle that is designed to be towed upon a
12 highway by a motor vehicle, that is equipped and used, or intended to be used,
13 primarily for temporary or recreational human habitation, that has walls of rigid,
14 uncollapsible construction, and that does not exceed 45 feet in length.

15 **SECTION 110.** 341.05 (26) (a) of the statutes is renumbered 341.05 (26).

16 **SECTION 111.** 341.05 (26) (b) of the statutes is repealed.

17 **SECTION 112.** 341.12 (1) of the statutes is amended to read:

18 341.12 **(1)** The department upon registering a vehicle pursuant to s. 341.25 or
19 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an
20 automobile, motor truck, motor bus, school bus, ~~self-propelled recreational vehicle~~
21 motor home, or dual purpose motor home and one plate for other vehicles. The
22 department upon registering a vehicle pursuant to any other section shall issue one
23 plate unless the department determines that 2 plates will better serve the interests
24 of law enforcement.

25 **SECTION 113.** 343.055 (1) (d) of the statutes is amended to read:

SENATE BILL 688**SECTION 113**

1 343.055 (1) (d) *Recreational vehicle operators*. The operator of the commercial
2 motor vehicle is a person operating a motor home, or a vehicle towing a 5th-wheel
3 ~~mobile home~~ recreational vehicle or single-unit recreational vehicle and the vehicle
4 or combination, including both units of a combination towing vehicle and the
5 5th-wheel ~~mobile home~~ recreational vehicle or recreational vehicle, is both operated
6 and controlled by the person and is transporting only members of the person's family,
7 guests or their personal property. This paragraph does not apply to any
8 transportation for hire or the transportation of any property connected to a
9 commercial activity. In this paragraph, "controlled" means leased or owned.

10 **SECTION 114.** 346.94 (8) of the statutes is amended to read:

11 346.94 (8) TRANSPORTING PERSONS IN MOBILE HOMES, RECREATIONAL VEHICLES, OR
12 BOATS. Except as provided in sub. (8m), no person may operate a motor vehicle towing
13 any mobile home, recreational vehicle, or boat on a trailer upon a highway when any
14 person is in such mobile home, recreational vehicle, or boat.

15 **SECTION 115.** 346.94 (8m) of the statutes is amended to read:

16 346.94 (8m) TRANSPORTING PERSONS IN FIFTH-WHEEL MOBILE ~~HOMES~~
17 RECREATIONAL VEHICLES. (a) No person may operate a motor vehicle towing a
18 fifth-wheel ~~mobile home~~ recreational vehicle upon a highway when any person
19 under the age of 12 years is in the fifth-wheel ~~mobile home~~ recreational vehicle
20 unless one person 16 years of age or older is also in the fifth-wheel ~~mobile home~~
21 recreational vehicle.

22 (b) No person may operate a motor vehicle towing a fifth-wheel ~~mobile home~~
23 recreational vehicle upon a highway with any person in such ~~mobile home~~
24 recreational vehicle unless the fifth-wheel ~~mobile home~~ recreational vehicle is
25 equipped with a two-way communications system in proper working order and

SENATE BILL 688**SECTION 115**

1 capable of providing voice communications between the operator of the towing
2 vehicle and any occupant of the fifth-wheel mobile home recreational vehicle.

3 **SECTION 116.** 347.15 (2) of the statutes is amended to read:

4 347.15 (2) Except as provided in sub. (1), there shall be at least 2 direction
5 signal lamps showing to the front on motor vehicles and at least 2 showing to the rear
6 on motor vehicles, mobile homes, recreational vehicles, trailers and semitrailers, so
7 as to indicate intention to turn right or left. Lamps showing to the front shall be
8 located on the same level and as widely spaced laterally as practicable and lamps
9 showing to the rear shall be located on the same level and as widely spaced laterally
10 as practicable. Such lamps shall project a flashing white or amber light visible to the
11 front and a flashing red or amber light visible to the rear. Direction signal lamps
12 when in use shall be plainly visible and understandable from all distances to 300 feet
13 during normal sunlight. No direction signal lamp shall have any type of decorative
14 covering that restricts the amount of light emitted when the direction signal lamp
15 is in use. When actuated, such lamps shall indicate the intended direction of turning
16 by flashing the lights showing to the front and rear on the side toward which the turn
17 is made. This subsection does not apply to any type of decorative covering originally
18 equipped on the vehicle at the time of manufacture and sale.

19 **SECTION 117.** 347.35 (4) of the statutes is amended to read:

20 347.35 (4) **MOBILE HOMES AND RECREATIONAL VEHICLES.** No person shall
21 manufacture and no person shall sell a mobile home or recreational vehicle in this
22 state unless such mobile home or recreational vehicle is equipped with brakes
23 adequate to control the movement of and to stop and hold it. No person shall operate
24 on a highway any mobile home registered as a 1940 or later year model or

SENATE BILL 688**SECTION 117**

1 recreational vehicle unless such mobile home or recreational vehicle is equipped with
2 brakes adequate to control the movement of and to stop and hold it.

3 **SECTION 118.** 347.45 (1) of the statutes is amended to read:

4 347.45 (1) All automobiles, motor trucks, motor buses, truck tractors, trailers,
5 semitrailers, recreational vehicles, and mobile homes when operated upon a
6 highway shall be completely equipped with tires inflated with compressed air and
7 all other motor vehicles when operated on a highway shall be equipped with tires of
8 rubber or of some material or construction of equal resiliency. No person may operate
9 on a highway any motor vehicle, trailer, semitrailer, recreational vehicle, or mobile
10 home having any metal tire in contact with the roadway, except that tire chains of
11 reasonable proportions may be used when required for safety because of snow, ice or
12 other conditions tending to cause a vehicle to skid, and except as provided in sub. (2)
13 (c).

14 **SECTION 119.** 347.47 (2) of the statutes is amended to read:

15 347.47 (2) No person shall operate a motor vehicle drawing a trailer,
16 semitrailer, recreational vehicle, or mobile home upon a highway unless the hitch
17 and coupling attaching the trailer, semitrailer, recreational vehicle, or mobile home
18 to the vehicle by which it is drawn is of such construction as to cause such trailer,
19 semitrailer, recreational vehicle, or mobile home to follow in direct line with the
20 propelling vehicle without dangerous side swing or wobble. The hitch and coupling,
21 the surface to which they are attached, and the connections, shall be of sufficient
22 strength to prevent failure under all conditions of operation. The hitch is that part
23 of the connecting mechanism, including the coupling platform and its attaching
24 members or weldments, which is attached to the towing vehicle. The coupling is that
25 part of the connecting mechanism, including the coupling and its attaching members

SENATE BILL 688**SECTION 119**

1 or weldments, which is attached to the trailer, recreational vehicle, or mobile home
2 and by which connection is made to the hitch. If a device is used between the trailer
3 proper and the coupling such as a pole, such device shall also meet the requirements
4 of this section.

5 **SECTION 120.** 347.47 (4) of the statutes is amended to read:

6 347.47 (4) Trailer, semitrailer, recreational vehicle, and mobile home couplings
7 and the safety chains, leveling bars or cables shall be of such minimum strength,
8 design and type as established by published rule of the department.

9 **SECTION 121.** 348.06 (1) of the statutes, as affected by 2005 Wisconsin Act 11,
10 is amended to read:

11 348.06 (1) Except as provided in subs. (2) and (2m), no person, without a permit
12 therefor, may operate on a highway any motor vehicle, mobile home, recreational
13 vehicle, trailer, or semitrailer having an overall height in excess of 13 1/2 feet.

14 **SECTION 122.** 348.07 (2) (c) of the statutes is amended to read:

15 348.07 (2) (c) Forty five feet for ~~mobile homes~~ recreational vehicles, motor
16 homes, and motor buses.

17 **SECTION 123.** 348.07 (3) (a) of the statutes is amended to read:

18 348.07 (3) (a) The overall length of a mobile home or recreational vehicle shall
19 be measured from the rear thereof to the rear of the vehicle to which it is attached.

20 **SECTION 124.** 348.10 (5) (intro.) of the statutes is amended to read:

21 348.10 (5) (intro.) The load imposed upon trailers ~~or~~, semitrailers, recreational
22 vehicles, or mobile homes shall be distributed in a manner that will prevent side
23 sway under all conditions of operation:

24 **SECTION 125.** 348.10 (5) (a) of the statutes is amended to read:

SENATE BILL 688

1 348.10 (5) (a) All items of load carried by any trailer, semitrailer, recreational
2 vehicle, or mobile home, except bulk material such as sand, gravel, dirt not in
3 containers, shall be secured to, on or in the trailer, semitrailer, recreational vehicle,
4 or mobile home in such manner as to prevent shifting of the load while the trailer,
5 semitrailer, recreational vehicle, or mobile home is being drawn by a towing vehicle.

6 **SECTION 126.** 348.10 (5) (c) of the statutes is amended to read:

7 348.10 (5) (c) The load carried by any trailer, semitrailer, recreational vehicle,
8 or mobile home shall be so positioned that a weight of not less than 35 pounds is
9 imposed at the center of the point of attachment to the towing vehicle when parked
10 on a level surface.

11 **SECTION 127.** 348.26 (4) of the statutes, as affected by 2005 Wisconsin Act 170,
12 is amended to read:

13 348.26 (4) ~~MOBILE HOME, MANUFACTURED HOME, AND MANUFACTURED BUILDING~~
14 MODULAR HOME PERMITS. Single trip permits for the movement of oversize mobile
15 homes, manufactured homes as defined in s. 101.91 (2) (am), or ~~manufactured~~
16 ~~buildings~~ modular homes as defined in s. 101.71 (6) may be issued only by the
17 department, regardless of the highways to be used. Every such permit shall
18 designate the route to be used by the permittee. No permit may be issued under this
19 subsection for operation of a vehicle combination exceeding 110 feet in overall length
20 or for movement of a mobile home, manufactured home, or ~~manufactured building~~
21 modular home exceeding 80 feet in length.

22 **SECTION 128.** 348.27 (7) of the statutes is amended to read:

23 348.27 (7) ~~MOBILE HOME, MANUFACTURED HOME, AND MODULAR HOME PERMITS.~~ The
24 department may issue annual or consecutive month statewide permits to licensed
25 mobile home, manufactured home, or modular home transport companies and to

SENATE BILL 688**SECTION 128**

1 licensed mobile home, manufactured home, or modular home manufacturers and
2 dealers authorizing them to transport oversize mobile homes, manufactured homes,
3 or modular homes over any of the highways of the state in the ordinary course of their
4 business.

5 **SECTION 129.** 348.27 (7m) of the statutes, as affected by 2005 Wisconsin Act
6 119, is amended to read:

7 348.27 (7m) The department may issue an annual or consecutive month permit
8 for the movement of a 3-vehicle combination consisting of a towing vehicle and, in
9 order by weight, with the lighter of the towed vehicles as the 3rd vehicle in the
10 3-vehicle combination unless not structurally possible, a ~~mobile home~~ recreational
11 vehicle or camping trailer, and a trailer for a personal recreational vehicle, if the
12 overall length of the combination of vehicles does not exceed 60 feet or, if the 2nd
13 vehicle in the 3-vehicle combination is equipped with brakes adequate to control the
14 movement of and to stop and hold it, does not exceed 65 feet, and the towed vehicles
15 are for the use of the operator of the towing vehicle. A permit under this subsection
16 may be issued only by the department, regardless of the highways to be used. The
17 department may designate the routes that may be used by the permittee. The fee
18 for an annual permit under this subsection is \$40. The fee for a consecutive month
19 permit under this subsection shall be determined in the manner provided in s. 348.25
20 (8) (bm), except that the \$40 fee for an annual permit under this subsection shall be
21 used in the computation. No 3-vehicle combination may operate under this
22 paragraph if highway or weather conditions include heavy snow, freezing rain, icy
23 roads, high winds, limited visibility, or upon a highway that is closed or partially
24 closed by the department due to highway conditions.

25 **SECTION 130.** 349.03 (2) of the statutes is amended to read:

SENATE BILL 688**SECTION 130**

1 349.03 (2) No local authority may enact or enforce any traffic regulation
2 providing for suspension or revocation of motor vehicle operator's licenses or
3 requiring local registration of vehicles, except as authorized by s. 341.35, or in any
4 manner excluding or prohibiting any motor vehicle, mobile home, vehicle
5 transporting a manufactured home or modular home, recreational vehicle, trailer,
6 or semitrailer whose owner has complied with chs. 341 to 348 from the free use of all
7 highways, except as authorized by sub. (3) and ss. 66.0429 (1) and (3), 349.13, 349.17,
8 349.22 and 349.23.

9 **SECTION 131.** 422.201 (12m) of the statutes is amended to read:

10 422.201 (12m) This section does not apply to consumer credit sales of or
11 consumer loans secured by a first lien on or equivalent security interest in mobile
12 homes or manufactured homes, as defined in s. ~~138.056 (1) (bm)~~ 101.91, if the sales
13 or loans are made on or after November 1, 1981.

14 **SECTION 132.** 422.202 (2) (intro.) of the statutes is amended to read:

15 422.202 (2) (intro.) With respect to a consumer credit transaction which
16 involves a ~~mobile~~ manufactured home transaction as defined in s. 138.056 (1) (c) or
17 the extension of credit secured by an interest in real property, the parties may agree
18 to the payment by the customer of the following charges in addition to the finance
19 charge, if they will be paid to persons not related to the merchant, are reasonable in
20 amount, bona fide and not for the purpose of circumvention or evasion of this
21 subchapter:

22 **SECTION 133.** 422.209 (1m) (a) 2. of the statutes is amended to read:

23 422.209 (1m) (a) 2. The loan administration fee is for a consumer loan that is
24 secured primarily by an interest in real property or in a mobile home, as defined in

SENATE BILL 688**SECTION 133**

1 s. ~~138.056 (1) (bm)~~ 101.91 (10), or in a manufactured home, as defined in s. 101.91
2 (2).

3 **SECTION 134.** 422.209 (6m) of the statutes is amended to read:

4 422.209 **(6m)** For purpose of this section, the finance charge in a ~~mobile~~
5 manufactured home transaction as defined in s. 138.056 (1) (c) does not include fees,
6 discounts, or other sums actually imposed by the government national mortgage
7 association, the federal national mortgage association, the federal home loan
8 mortgage corporation or other governmentally sponsored secondary mortgage
9 market purchaser of the loan or any private secondary mortgage market purchaser
10 of the loan who is not a person related to the original lender.

11 **SECTION 135.** 422.402 (5) (intro.) of the statutes is amended to read:

12 422.402 **(5)** (intro.) This section does not apply to a ~~mobile~~ manufactured home
13 transaction as defined in s. 138.056 (1) (c) made on or after November 1, 1981, and
14 before November 1, 1984, if:

15 **SECTION 136.** 422.402 (5) (b) of the statutes is amended to read:

16 422.402 **(5)** (b) The unequal or irregular payment is the final scheduled
17 payment of the transaction, and the merchant agrees to refinance the final scheduled
18 payment at a rate of interest not in excess of the rate disclosed pursuant to subch.
19 III of ch. 422 by more than one percent multiplied by the number of 6-month periods
20 in the term of the immediately prior ~~mobile~~ manufactured home transaction.

21 **SECTION 137.** 422.413 (2g) (intro.) of the statutes is amended to read:

22 422.413 **(2g)** (intro.) In any consumer credit transaction in which the collateral
23 is a motor vehicle as defined in s. 340.01 (35), a trailer as defined in s. 340.01 (71),
24 a snowmobile as defined in s. 340.01 (58a), a boat as defined in s. 30.50 (2), an aircraft
25 as defined in s. 114.002 (3), or a mobile home or manufactured home as defined in s.

SENATE BILL 688

1 138.056 (1) (bm) 101.91, a writing evidencing the transaction may provide for the
2 creditor's recovery of all of the following expenses, if the expenses are reasonable and
3 bona fide:

4 **SECTION 138.** 424.301 (1) (b) 1. of the statutes is amended to read:

5 424.301 (1) (b) 1. The actual cash value or stated value of any motor vehicle,
6 manufactured home, or mobile home in which the creditor holds a security interest.

7 **SECTION 139.** 707.02 (4) of the statutes is amended to read:

8 707.02 (4) "Campground" means real property that is available for use by
9 campground members under a campground contract and is intended for camping or
10 outdoor recreation, including the use of campsites and campground amenities by
11 campground members, but does not include a manufactured and mobile home park
12 community as defined in s. 66.0435 (1) (e).

13 **SECTION 140.** 710.15 (title) of the statutes is amended to read:

14 **710.15** (title) **Mobile Manufactured and mobile home park community**
15 **regulations.**

16 **SECTION 141.** 710.15 (1) (a) of the statutes is renumbered 710.15 (1) (ag) and
17 amended to read:

18 710.15 (1) (ag) "Lease" means a written agreement between an operator and
19 a resident ~~or mobile home occupant~~ establishing the terms upon which the mobile
20 home ~~or manufactured home~~ may be located in the park community or the mobile
21 ~~home occupant~~ resident may occupy a mobile home or manufactured home in the
22 park community.

23 **SECTION 142.** 710.15 (1) (am) of the statutes is created to read:

24 710.15 (1) (am) "Manufactured home" has the meaning given in s. 101.91 (2).

25 **SECTION 143.** 710.15 (1) (b) of the statutes is amended to read:

SENATE BILL 688**SECTION 143**

1 710.15 (1) (b) “Mobile home” has the meaning given under s. ~~66.0435 (1) (d)~~
2 101.91 (10), but does not include any unit used primarily for camping, touring or
3 recreational purposes a recreational vehicle, as defined in s. 340.01 (48r).

4 **SECTION 144.** 710.15 (1) (c) of the statutes is amended to read:

5 710.15 (1) (c) “~~Mobile home occupant~~ Occupant” means a person who rents a
6 mobile home or manufactured home in a ~~park~~ community from an operator or who
7 occupies a mobile home or manufactured home located on a plot of ground that is
8 rented in a community from an operator.

9 **SECTION 145.** 710.15 (1) (d) of the statutes is amended to read:

10 710.15 (1) (d) “Operator” means a person engaged in the business of renting
11 plots of ground or mobile homes or manufactured homes in a ~~park~~ community to
12 mobile home or manufactured home owners or ~~mobile home~~ occupants.

13 **SECTION 146.** 710.15 (1) (e) of the statutes is renumbered 710.15 (1) (ad) and
14 amended to read:

15 710.15 (1) (ad) “Park Community” means a tract of land containing 2 3 or more
16 plots of ground upon which mobile homes or manufactured homes are located in
17 exchange for the payment of rent or any other fee pursuant to a lease.

18 **SECTION 147.** 710.15 (1) (f) of the statutes is amended to read:

19 710.15 (1) (f) “Resident” means a person who rents a mobile home or
20 manufactured home site in a ~~park~~ community from an operator and who occupies the
21 mobile home or site as his or her residence.

22 **SECTION 148.** 710.15 (1m) of the statutes is amended to read:

23 710.15 (1m) REQUIREMENT AND TERM OF LEASE. Every agreement for the rental
24 of a mobile home site ~~or mobile home~~ or manufactured home site shall be by lease.

SENATE BILL 688**SECTION 148**

1 Every lease shall be for a term of at least one year unless the resident or ~~mobile home~~
2 occupant requests a shorter term and the operator agrees to the shorter term.

3 **SECTION 149.** 710.15 (2) of the statutes is amended to read:

4 710.15 (2) RULES INCLUDED IN LEASE. All ~~park~~ community rules that
5 substantially affect the rights or duties of residents or ~~mobile home~~ occupants or of
6 operators, including ~~park~~ community rules under sub. (2m) (b), shall be made a part
7 of every lease between them.

8 **SECTION 150.** 710.15 (2m) (a) of the statutes is amended to read:

9 710.15 (2m) (a) Every lease shall state whether the ~~park~~ community contains
10 an emergency shelter.

11 **SECTION 151.** 710.15 (2m) (b) of the statutes is amended to read:

12 710.15 (2m) (b) If a ~~park~~ community contains an emergency shelter under par.
13 (a), the ~~park~~ community rules shall state the location of the emergency shelter and
14 procedures for its use.

15 **SECTION 152.** 710.15 (3) of the statutes is amended to read:

16 710.15 (3) PROHIBITED CONSIDERATION OF AGE OF MOBILE HOME OR MANUFACTURED
17 HOME. (a) An operator may not deny a resident the opportunity to enter into or renew,
18 and may not include, exclude or alter any terms of, a lease to continue to locate a
19 mobile home or manufactured home in the ~~park~~ community solely or in any part on
20 the basis of the age of the mobile home or manufactured home.

21 (b) An operator may not require the removal of a mobile home or manufactured
22 home from a ~~park~~ community solely or in any part on the basis of the age of the mobile
23 home or manufactured home, regardless of whether the ownership or occupancy of
24 the mobile home or manufactured home has changed or will change.

25 **SECTION 153.** 710.15 (4) of the statutes is amended to read:

SENATE BILL 688**SECTION 153**

1 710.15 (4) PROHIBITED CONSIDERATION OF CHANGE IN OWNERSHIP OR OCCUPANCY OF
2 MOBILE HOME OR MANUFACTURED HOME. An operator may not require the removal of
3 a mobile home or manufactured home from a ~~park~~ community solely or in any part
4 because the ownership or occupancy of the mobile home or manufactured home has
5 changed or will change. An operator may refuse to enter into an initial lease with
6 a prospective resident or ~~mobile home~~ occupant for any other lawful reason.

7 **SECTION 154.** 710.15 (4m) of the statutes is amended to read:

8 710.15 (4m) NO INTEREST IN REAL ESTATE; SCREENING PERMITTED. Neither sub. (3)
9 (b) nor sub. (4) creates or extends any interest in real estate or prohibits the lawful
10 screening of prospective residents and ~~mobile home~~ occupants by an operator.

11 **SECTION 155.** 710.15 (5m) (intro.) of the statutes is amended to read:

12 710.15 (5m) TERMINATION OF TENANCY OR NONRENEWAL OF LEASE. (intro.)
13 Notwithstanding ss. 704.17 and 704.19, the tenancy of a resident or ~~mobile home~~
14 occupant in a ~~park~~ community may not be terminated, nor may the renewal of the
15 lease be denied by the ~~park~~ community operator, except upon any of the following
16 grounds:

17 **SECTION 156.** 710.15 (5m) (a) of the statutes is amended to read:

18 710.15 (5m) (a) Failure to pay rent due, or failure to pay taxes or any other
19 charges due for which the ~~park~~ community owner or operator may be liable.

20 **SECTION 157.** 710.15 (5m) (e) of the statutes is amended to read:

21 710.15 (5m) (e) Violation of ~~park~~ community rules that endangers the health
22 or safety of others or disrupts the right to the peaceful enjoyment and use of the
23 premises by others, after written notice to cease the violation has been delivered to
24 the resident or ~~mobile home~~ occupant.

25 **SECTION 158.** 710.15 (5m) (em) of the statutes is amended to read:

SENATE BILL 688**SECTION 158**

1 710.15 (5m) (em) Violation of federal, state or local laws, rules or ordinances
2 relating to mobile homes or manufactured homes after written notice to cease the
3 violation has been delivered to the resident or ~~mobile home~~ occupant.

4 **SECTION 159.** 710.15 (5m) (f) of the statutes is amended to read:

5 710.15 (5m) (f) The ~~park~~ community owner or operator seeks to retire the ~~park~~
6 community permanently from the rental housing market.

7 **SECTION 160.** 710.15 (5m) (g) of the statutes is amended to read:

8 710.15 (5m) (g) The ~~park~~ community owner or operator is required to
9 discontinue use of the ~~park~~ community for the purpose rented as a result of action
10 taken against the ~~park~~ community owner or operator by local or state building or
11 health authorities and it is necessary for the premises to be vacated to satisfy the
12 relief sought by the action.

13 **SECTION 161.** 710.15 (5m) (h) of the statutes is amended to read:

14 710.15 (5m) (h) The physical condition of the mobile home or manufactured
15 home presents a threat to the health or safety of its occupants or others in the ~~park~~
16 community or, by its physical appearance, disrupts the right to the enjoyment and
17 use of the ~~park~~ community by others.

18 **SECTION 162.** 861.21 (1) (b) of the statutes is amended to read:

19 861.21 (1) (b) “Home” means any dwelling in which the decedent had an
20 interest and that at the time of the decedent’s death the surviving spouse occupies
21 or intends to occupy. If there are several such dwellings, any one may be designated
22 by the surviving spouse. “Home” includes a house, a mobile home, a manufactured
23 home, a duplex or multiple apartment building one unit of which is occupied by the
24 surviving spouse and a building used in part for a dwelling and in part for commercial

SENATE BILL 688**SECTION 162**

1 or business purposes. "Home" includes all of the surrounding land, unless the court
2 sets off part of the land as severable from the remaining land under sub. (5).

3 **SECTION 163.** 941.20 (1) (d) of the statutes is amended to read:

4 941.20 (1) (d) While on the lands of another discharges a firearm within 100
5 yards of any building devoted to human occupancy situated on and attached to the
6 lands of another without the express permission of the owner or occupant of the
7 building. "Building" as used in this paragraph includes any house trailer,
8 manufactured home, or mobile home but does not include any tent, bus, truck,
9 vehicle or similar portable unit.

10 **SECTION 164.** 990.01 (14) of the statutes, as affected by 2005 Wisconsin Act ...
11 (Assembly Bill 327), is amended to read:

12 990.01 (14) HOMESTEAD EXEMPTION. "Exempt homestead" means the dwelling,
13 including a building, condominium, mobile home, manufactured home, house trailer
14 or cooperative or an unincorporated cooperative association, and so much of the land
15 surrounding it as is reasonably necessary for its use as a home, but not less than 0.25
16 acre, if available, and not exceeding 40 acres, within the limitation as to value under
17 s. 815.20, except as to liens attaching or rights of devisees or heirs of persons dying
18 before the effective date of any increase of that limitation as to value.

19 **SECTION 165. Effective date.**

20 (1) This act takes effect on the first day of the 18th month beginning after
21 publication.

22 (END)