

2001 ASSEMBLY BILL 337

April 18, 2001 – Introduced by Representatives HUEBSCH, SKINDRUD, GUNDERSON, HUNDERTMARK, JOHNSRUD, KREIBICH, MUSSER and SERATTI. Referred to Committee on Small Business and Consumer Affairs.

1 **AN ACT** *to amend* 66.1017 (1) (a) and 66.1017 (2) of the statutes; **relating to:** the
2 regulation of family day care homes.

Analysis by the Legislative Reference Bureau

Under current law, a county, city, village, or town may not prevent a family day care home (a dwelling licensed as a day care center by the department of health and family services that provides care for no more than eight children) from being located in a zoned district in which single-family residence is a permitted use. This bill eliminates the requirement that a family day care home be located in a dwelling. The bill also prohibits a county, city, village, or town from requiring that a family day care program be located in the principal residence of the operator of the program.

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

3 **SECTION 1.** 66.1017 (1) (a) of the statutes is amended to read:

4 66.1017 (1) (a) “Family day care home” means a ~~dwelling licensed as a day care~~
5 center licensed by the department of health and family services under s. 48.65 where
6 care is provided for not more than 8 children.

7 **SECTION 2.** 66.1017 (2) of the statutes is amended to read:

ASSEMBLY BILL 337

1 66.1017 (2) No municipality may prevent a family day care home from being
2 located in a zoned district in which a single-family residence is a permitted use. No
3 municipality may establish standards or requirements for family day care homes
4 different from the licensing standards established under s. 48.65. This subsection
5 does not prevent a municipality from applying to a family day care home the zoning
6 regulations applicable to other dwellings in the zoning district in which it is located,
7 except that a municipality may not require that a family day care home be located
8 in the principal residence of the operator of the home.

9

(END)