

2001 ASSEMBLY BILL 446

June 21, 2001 – Introduced by Representatives SKINDRUD, AINSWORTH, GROTHMAN, KRAWCZYK, LADWIG, LIPPERT, MUSSER, OTT, PETTIS and SUDER, cosponsored by Senators ERPENBACH, SCHULTZ and ZIEN. Referred to Committee on Housing.

1 **AN ACT** *to amend* 101.01 (11) and 101.01 (12) of the statutes; **relating to:**
2 exempting certain horse boarding and horse training facilities from state
3 building codes.

Analysis by the Legislative Reference Bureau

With certain exceptions, current law gives the department of commerce (department) jurisdiction over all buildings in this state that are used by the public (public buildings) and all places of employment for the purpose of ensuring that the buildings are safe. Current law requires the department to promulgate standards for the safe construction of public buildings. Under these construction standards and under certain statutes, public buildings and places of employment are subject to numerous requirements with regard to their construction, including requirements with regard to ventilation, energy conservation, accessibility, fire safety, electrical construction, and plumbing construction. Plans for the construction of public buildings and places of employment currently must be approved by the department or by certain authorized local officials, to ensure that the public buildings or places of employment will be built in compliance with all applicable construction standards.

Currently, a horse boarding or horse training facility may be a public building and, unless the horse boarding or horse training is used in farming, it may be a place of employment.

This bill exempts all horse boarding and horse training facilities that do not contain an area for the public to view a horse show from the definitions of “public building” and “place of employment.” As a result, under this bill, these horse

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boarding and horse training facilities are not subject to the construction standards promulgated by the department or to construction-related statutes that generally apply to public buildings and places of employment. In addition, under the bill, the plan submission and approval process does not apply to the proposed construction of these horse boarding and horse training facilities.

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

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

1 **SECTION 1.** 101.01 (11) of the statutes is amended to read:

2 101.01 (11) “Place of employment” includes every place, whether indoors or out
3 or underground and the premises appurtenant thereto where either temporarily or
4 permanently any industry, trade, or business is carried on, or where any process or
5 operation, directly or indirectly related to any industry, trade, or business, is carried
6 on, and where any person is, directly or indirectly, employed by another for direct or
7 indirect gain or profit, but does not include any place where persons are employed
8 in private domestic service which does not involve the use of mechanical power or in
9 farming. “Farming” includes those activities specified in s. 102.04 (3), ~~and also~~
10 ~~includes;~~ the transportation of farm products, supplies, or equipment directly to the
11 farm by the operator of ~~said~~ the farm or employees for use thereon, if such activities
12 are directly or indirectly for the purpose of producing commodities for market, or as
13 an accessory to such production; and the operation of a horse boarding facility or
14 horse training facility that does not contain an area for the public to view a horse
15 show. When used with relation to building codes, “place of employment” does not
16 include an adult family home, as defined in s. 50.01 (1), or, except for the purposes
17 of s. 101.11, a previously constructed building used as a community-based

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1 residential facility, as defined in s. 50.01 (1g), which serves 20 or fewer residents who
2 are not related to the operator or administrator.

3 **SECTION 2.** 101.01 (12) of the statutes is amended to read:

4 101.01 (12) “Public building” means any structure, including exterior parts of
5 such building, such as a porch, exterior platform, or steps providing means of ingress
6 or egress, used in whole or in part as a place of resort, assemblage, lodging, trade,
7 traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation
8 to building codes, “public building” does not include a horse boarding facility or horse
9 training facility that does not contain an area for the public to view a horse show or
10 a previously constructed building used as a community-based residential facility as
11 defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the
12 operator or administrator or an adult family home, as defined in s. 50.01 (1).

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(END)