

BILL HISTORY FOR SENATE BILL 24 (LRB -0631)

An Act to create 106.52 (3) (e) of the statutes; relating to: providing an exception to the law prohibiting discrimination in public places of accommodation to permit a fitness center whose facilities and services are intended for the exclusive use of persons of the same sex to provide the use of those facilities and services exclusively to persons of that sex. (FE)

2003

02-05. S.	Introduced by Senators Roessler, Harsdorf, Breske, Cowles, S. Fitzgerald, Kanavas, A. Lasee, Lazich, Leibham and Reynolds; cosponsored by Representatives Grothman, Vrakas, Montgomery, Ainsworth, Bies, Gottlieb, Gunderson, Hahn, Hines, Huebsch, Kestell, Krawczyk, Ladwig, F. Lasee, Lassa, J. Lehman, Musser, Olsen, Ott, Owens, Petrowski, Plale, Schneider, Seratti, Shilling, Stone, Suder, Towns, Underheim, Van Roy, Weber, J. Wood and Ziegelbauer.	
02-05. S.	Read first time and referred to committee on Health, Children, Families, Aging and Long Term Care	61
02-13. S.	Public hearing held.	
02-17. S.	Fiscal estimate received.	
03-06. S.	Executive action taken.	
03-06. S.	Report introduction and adoption of Senate Amendment 1 recommended by committee on Health, Children, Families, Aging and Long Term Care, Ayes 7, Noes 2 (LRB a0107) 11	
03-06. S.	Report passage as amended recommended by committee on Health, Children, Families, Aging and Long Term Care, Ayes 7, Noes 2	112
03-06. S.	Available for scheduling.	
03-13. S.	Placed on calendar 2-18-2003 by committee on Senate Organization.	
03-18. S.	Read a second time	126
03-18. S.	Point of order that Senate amendment 1 not germane not well taken	126
03-18. S.	Senate amendment 1 adopted, Ayes 21, Noes 10	126
03-18. S.	Senate amendment 2 offered by Senators Carpenter and Robson (LRB a0091)	126
03-18. S.	Senate amendment 2 rejected, Ayes 20, Noes 11	126
03-18. S.	Ordered to a third reading	126
03-18. S.	Rules suspended	126
03-18. S.	Read a third time and passed, Ayes 23, Noes 8	126
03-18. S.	Ordered immediately messaged	127
03-21. A.	Received from Senate	139
03-21. A.	Read first time and referred to committee on Small Business	140
03-25. A.	Public hearing held.	
03-25. A.	Executive action taken.	
03-31. A.	Report concurrence recommended by committee on Small Business, Ayes 9, Noes 1 ..	149
03-31. A.	Referred to committee on Rules	149
04-23. A.	Placed on calendar 4-29-2003 by committee on Rules.	
04-29. A.	Representative Gielow added as a cosponsor	175
04-29. A.	Read a second time	175
04-29. A.	Assembly amendment 1 offered by Representative W. Wood (LRB a0483)	175
04-29. A.	Assembly amendment 1 laid on table, Ayes 54, Noes 42	175
04-29. A.	Ordered to a third reading	175
04-29. A.	Rules suspended	175
04-29. A.	Read a third time and concurred in, Ayes 65, Noes 31	175
04-29. A.	Ordered immediately messaged	175
05-01. S.	Received from Assembly concurred in	156

**2003
ENROLLED BILL**

03en S B-24

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

03-063111

Amendments to above (if none, write "NONE"): SA-1

Corrections - show date (if none, write "NONE"): NONE

Topic Exception to discrimination law in public places
of accommodation

5/1/03
Date

cmH
Enrolling Drafter

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2003 SENATE BILL 24

February 5, 2003 – Introduced by Senators ROESSLER, HARSDORF, BRESKE, COWLES, S. FITZGERALD, KANAVAS, A. LASEE, LAZICH, LEIBHAM and REYNOLDS, cosponsored by Representatives GROTHMAN, VRAKAS, MONTGOMERY, AINSWORTH, BIES, GOTTLIEB, GUNDERSON, HAHN, HINES, HUEBSCH, KESTELL, KRAWCZYK, LADWIG, F. LASEE, LASSA, J. LEHMAN, MUSSER, OLSEN, OTT, OWENS, PETROWSKI, PLALE, SCHNEIDER, SERATTI, SHILLING, STONE, SUDER, TOWNS, UNDERHEIM, VAN ROY, WEBER, J. WOOD and ZIEGELBAUER. Referred to Committee on Health, Children, Families, Aging and Long Term Care.

1 **AN ACT** *to create* 106.52 (3) (e) of the statutes; **relating to:** providing an
2 exception to the law prohibiting discrimination in public places of
3 accommodation to permit a fitness center whose facilities and services are
4 intended for the exclusive use of persons of the same sex to provide the use of
5 those facilities and services exclusively to persons of that sex.

Analysis by the Legislative Reference Bureau

Under current law, no person may deny to another the full and equal enjoyment of any public place of accommodation because of sex, race, color, creed, disability, sexual orientation, national origin, or ancestry. Current law, however, does not prohibit separate public toilets, showers, saunas, or dressing rooms for persons of different sexes and does not prohibit a domestic abuse services organization from providing separate facilities, care, treatment, or services for persons of different sexes.

This bill permits a fitness center, which is defined under current law as an establishment that, for profit, provides as its primary purpose services or facilities that are purported to assist patrons in physical exercise, in weight control, or in figure development, whose services or facilities are intended for the exclusive use of persons of the same sex to provide the use of those services or facilities exclusively to persons of that sex, to deny the use of those services or facilities to persons of the opposite sex, and to communicate that the use of those services or facilities will be provided exclusively to persons of the same sex and will be denied to persons of the opposite sex.

SENATE BILL 24

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:

INS 1-2
SA 1

SECTION 1. 106.52 (3) (e) of the statutes is created to read:

SA 1 ✓

106.52 (3) (e) Nothing in this section prohibits a fitness center, as defined in s. 100.177 (1) (c), whose services or facilities are intended for the exclusive use of persons of the same sex from providing the use of those services or facilities exclusively to persons of that sex, from denying the use of those services or facilities to persons of the opposite sex, or from directly or indirectly publishing, circulating, displaying, or mailing any written communication to the effect that the use of those services or facilities will be provided exclusively to persons of the same sex and will be denied to persons of the opposite sex.

SA 1 ✓

SA 1 ✓

(END)

10

**SENATE AMENDMENT 1,
TO 2003 SENATE BILL 24**

March 6, 2003 – Offered by COMMITTEE ON HEALTH, CHILDREN, FAMILIES, AGING AND
LONG TERM CARE.

INS 1-2 ✓

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 2, line 1: delete that line and substitute:

3 "SECTION 1d. 106.52 (1) (cm) of the statutes is created to read:

4 106.52 (1) (cm) "Fitness center" means an establishment, whether operated for
5 profit or not for profit, that provides as its primary purpose services or facilities that
6 are purported to assist patrons in physical exercise, in weight control, or in figure
7 development. "Fitness center" does not include an organization solely offering
8 training or facilities in an individual sport or a weight reduction center, as defined
9 in s. 100.177 (1) (e).

10 SECTION 1m. 106.52 (3) (e) of the statutes is created to read:"

11 ✓ 2. Page 2, line 2: delete ", as defined in".

12 ✓ 3. Page 2, line 3: delete "s. 100.177 (1) (c),".

13

(END)