



State of Wisconsin
2007 - 2008 LEGISLATURE

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stays RMR

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
**SENATE SUBSTITUTE AMENDMENT ,
TO 2007 SENATE BILL 7**

in 3-29-07
due Monday 4-2
Raben
D-N
✓

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) (e), 66.0435 (1) (g), 138.056 (1) (c), 710.15 (1) (a) and 710.15 (1) (e);
4 *to amend* 30.40 (6), 45.31 (12), 49.47 (4) (b) 1., 59.69 (4) (d), 66.0435 (title),
5 66.0435 (1) (b) and (c), 66.0435 (1) (d), 66.0435 (1) (hm), 66.0435 (1) (i) and (j),
6 66.0435 (2) (a), 66.0435 (2) (b), 66.0435 (2) (c), 66.0435 (2) (d), 66.0435 (3) (title),
7 66.0435 (3) (a), 66.0435 (3) (c) 1. (intro.), 66.0435 (3) (c) 1. a., 66.0435 (3) (c) 1.
8 c., 66.0435 (3) (c) 1. d., 66.0435 (3) (c) 2., 66.0435 (3) (c) 3., 66.0435 (3) (c) 5. and
9 6., 66.0435 (3) (c) 8., 66.0435 (3) (cm) to (f), 66.0435 (3m), 66.0435 (4) (intro.),
10 66.0435 (4) (b), 66.0435 (4) (c), 66.0435 (8), 66.0435 (9), 66.0809 (3), 66.1019 (2),
11 70.043, 70.111 (19) (title), 70.111 (19) (b), 70.112 (7), 71.07 (6e) (a) 5., 71.07 (9)
12 (a) 3., 71.07 (9) (a) 4., 71.52 (2), 71.52 (7), 77.51 (4) (b) 6., 77.51 (4) (b) 7., 77.51

1 (13) (am), 77.51 (15) (b) 5., 77.51 (15) (b) 6., 77.52 (2) (a) 1., 77.53 (17), 77.53 (18),
2 77.54 (7) (b) (intro.), 77.54 (31), 77.54 (36), 77.61 (1) (a), 77.61 (1) (c), 77.71 (4),
3 77.78, 77.785 (2), 77.995 (2), 79.03 (3) (b) 4. a., 100.21 (1) (a), subchapter III
4 (title) of chapter 101 [precedes 101.70], 101.70, 101.71 (4), 101.71 (6) (a) (intro.),
5 101.71 (6) (b), 101.715, 101.72, 101.73 (1), 101.73 (1m), 101.73 (2), 101.73 (3),
6 101.73 (5), 101.73 (6), 101.73 (7), 101.73 (11), 101.74 (4), 101.74 (6), 101.74 (7),
7 101.745 (4), 101.75 (1), 101.75 (2), 101.75 (3), 101.76 (1) (a), 101.761 (3), 101.761
8 (5), 101.935 (1), 101.971 (2), 106.50 (1m) (L), 138.052 (1) (b), 138.056 (1) (b),
9 138.056 (1) (bm), 138.056 (1) (d), 138.056 (3m) (a) 4., 138.09 (7) (jm) 1. b.,
10 214.485 (10), 215.205 (1), 218.10 (8m), 234.622 (7), 340.01 (18m), 340.01 (29),
11 340.01 (48r), 341.12 (1), 343.055 (1) (d), 346.94 (8), 346.94 (8m), 347.15 (2),
12 347.35 (4), 347.45 (1), 347.47 (2), 347.47 (4), 348.06 (1), 348.07 (2) (c), 348.07 (3)
13 (a), 348.10 (5) (intro.), 348.10 (5) (a), 348.10 (5) (c), 348.26 (4), 348.27 (7), 348.27
14 (7m), 349.03 (2), 422.201 (12m), 422.202 (2) (intro.), 422.209 (1m) (a) 2., 422.209
15 (6m), 422.402 (5) (intro.), 422.402 (5) (b), 422.413 (2g) (intro.), 424.301 (1) (b) 1.,
16 707.02 (4), 710.15 (title), 710.15 (1) (b), 710.15 (1) (c), 710.15 (1) (d), 710.15 (1)
17 (f), 710.15 (1m), 710.15 (2), 710.15 (2m) (a), 710.15 (2m) (b), 710.15 (3), 710.15
18 (4), 710.15 (4m), 710.15 (5m) (intro.), 710.15 (5m) (a), 710.15 (5m) (e), 710.15
19 (5m) (em), 710.15 (5m) (f), 710.15 (5m) (g), 710.15 (5m) (h), 861.21 (1) (b), 941.20
20 (1) (d) and 990.01 (14); and **to create** 66.0435 (1) (cm), 66.0435 (3) (c) 9., 138.056
21 (1) (bd), 340.01 (27m), 340.01 (29k) and 710.15 (1) (am) of the statutes; **relating**
22 **to:** revisions in terminology that affect mobile homes, manufactured homes,
23 modular homes, manufactured buildings, recreational vehicles, and mobile and
24 manufactured home communities, and changes that apply to monthly fees
25 collected by certain local governmental units.

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. 45.31 (12) of the statutes is amended to read:

7 45.31 (12) "Manufactured home" means a structure, as defined by the Federal
8 Home Loan Mortgage Corporation, which meets or exceeds the statutory size under
9 s. 348.07 (2) manufactured home, as defined in s. 101.91 (2).

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.**

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

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

22 66.0435 (1) (b) "Licensee" means any person licensed to operate and maintain
23 a manufactured and mobile home park community under this section.

1 (c) "Licensing authority" means the city, town or village wherein a
2 manufactured and mobile home park community is located.

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

4 66.0435 (1) (cm) "Manufactured home" has the meaning given in s. 101.91 (2)
5 and includes any additions, attachments, annexes, foundations, and appurtenances.

6 **SECTION 9.** 66.0435 (1) (d) of the statutes is amended to read:

7 66.0435 (1) (d) "Mobile home" ~~is that which is, or was as originally constructed,~~
8 ~~designed to be transported by any motor vehicle upon a public highway and designed,~~
9 ~~equipped and used primarily for sleeping, eating and living quarters, or is intended~~
10 ~~to be so used;~~ has the meaning given in s. 101.91 (10) and includes any additions,
11 attachments, annexes, foundations and appurtenances.

12 **SECTION 10.** 66.0435 (1) (e) of the statutes is renumbered 66.0435 (1) (cg) and
13 amended to read:

14 66.0435 (1) (cg) "Mobile Manufactured and mobile home park community"
15 means any plot or plots of ground upon which ~~2~~ 3 or more ~~units~~ manufactured homes
16 or mobile homes, occupied for dwelling or sleeping purposes, are located, regardless
17 of whether a charge is made for the accommodation.

18 **SECTION 11.** 66.0435 (1) (f) of the statutes is repealed.

19 **SECTION 12.** 66.0435 (1) (g) of the statutes is renumbered 66.0435 (1) (am) and
20 amended to read:

21 66.0435 (1) (am) "Park Community" means a manufactured and mobile home
22 park community.

23 **SECTION 13.** 66.0435 (1) (hm) of the statutes is amended to read:

24 66.0435 (1) (hm) "Recreational mobile home" means a ~~mobile home~~
25 prefabricated structure that is no larger than 400 square feet, or that is certified by

1 the manufacturer as complying with the code promulgated by the American National
2 Standards Institute as ANSI 119.5 A119.5, and that is designed to be towed and used
3 primarily as temporary living quarters for recreational, camping, travel, or seasonal
4 purposes.

5 **SECTION 14.** 66.0435 (1) (i) and (j) of the statutes are amended to read:

6 66.0435 (1) (i) "Space" means a plot of ground within a manufactured and
7 mobile home ~~park community~~, designed for the accommodation of one manufactured
8 or mobile home unit.

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

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

11 66.0435 (2) (a) It is unlawful for any person to maintain or operate a ~~mobile~~
12 ~~home park community~~ within the limits of a city, town or village, unless the person
13 has received a license from the city, town or village.

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

15 66.0435 (2) (b) In order to protect and promote the public health, morals and
16 welfare and to equitably defray the cost of municipal and educational services
17 required by persons and families using ~~or occupying trailers, mobile homes, trailer~~
18 ~~camp or mobile home parks communities~~ for living, dwelling or sleeping purposes,
19 a city council, village board and town board may do any of the following:

20 1. Establish and enforce by ordinance reasonable standards and regulations
21 for every ~~trailer and trailer camp and every mobile home and mobile home park~~
22 community.

23 2. Require an annual license fee to operate a ~~trailer and trailer camp or mobile~~
24 ~~home and mobile home park community~~ and levy and collect special assessments to

1 defray the cost of municipal and educational services furnished to ~~the trailer and~~
2 ~~trailer camp, or mobile home and mobile home park~~ a community.

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

5 4. Limit the number of licenses for ~~trailer camps or parks~~ communities in any
6 common school district, if the ~~mobile housing~~ development of a community would
7 cause the school costs to increase above the state average or if an exceedingly difficult
8 or impossible situation exists with regard to providing adequate and proper sewage
9 disposal in the particular area.

10 SECTION 17. 66.0435 (2) (c) of the statutes is amended to read:

11 66.0435 (2) (c) In a town in which the town board enacts an ordinance
12 regulating ~~trailers~~ manufactured and mobile homes under this section and has also
13 enacted and approved a county zoning ordinance under the provisions of s. 59.69, the
14 provisions of the ordinance which is most restrictive apply with respect to the
15 establishment and operation of a ~~trailer camp~~ community in the town.

16 SECTION 18. 66.0435 (2) (d) of the statutes is amended to read:

17 66.0435 (2) (d) A license granted under this section is subject to revocation or
18 suspension for cause by the licensing authority that issued the license upon
19 complaint filed with the clerk of the licensing authority, if the complaint is signed by
20 a law enforcement officer, local health officer, as defined in s. 250.01 (5), or building
21 inspector, after a public hearing upon the complaint. The holder of the license shall
22 be given 10 days' written notice of the hearing, and is entitled to appear and be heard
23 as to why the license should not be revoked. A holder of a license that is revoked or
24 suspended by the licensing authority may within 20 days of the date of the revocation
25 or suspension appeal the decision to the circuit court of the county in which the trailer

1 ~~camp or mobile home park~~ community is located by filing a written notice of appeal
2 with the clerk of the licensing authority, together with a bond executed to the
3 licensing authority, in the sum of \$500 with 2 sureties or a bonding company
4 approved by the clerk, conditioned for the faithful prosecution of the appeal and the
5 payment of costs adjudged against the license holder.

6 **SECTION 19.** 66.0435 (3) (title) of the statutes is amended to read:

7 66.0435 (3) (title) LICENSE AND ~~MONTHLY MOBILE HOME~~ MONTHLY MUNICIPAL PERMIT
8 FEE; REVIEW.

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

10 66.0435 (3) (a) The licensing authority shall collect from the licensee an annual
11 license fee of not less than \$25 nor more than \$100 for each 50 spaces or fraction of
12 50 spaces within each ~~mobile home park~~ community within its limits. If the ~~park~~
13 community lies in more than one municipality the amount of the license fee shall be
14 determined by multiplying the gross fee by a fraction the numerator of which is the
15 number of spaces in the ~~park~~ community in a municipality and the denominator of
16 which is the entire number of spaces in the ~~park~~ community.

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

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

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

2 66.0435 (3) (c) 1. a. On January 1, the assessor shall determine the total fair
3 market value of each ~~mobile home~~ unit in the taxation district subject to the monthly
4 ~~parking~~ municipal permit fee.

5 **SECTION 23.** 66.0435 (3) (c) 1. c. of the statutes is amended to read:

6 66.0435 (3) (c) 1. c. The value of each ~~mobile home~~ unit, determined under subd.
7 1. b., shall be multiplied by the general property gross tax rate, less any credit rate
8 for the property tax relief credit, established on the preceding year's assessment of
9 general property.

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

11 66.0435 (3) (c) 1. d. The total annual ~~parking~~ permit fee, computed under subd.
12 1. c., shall be divided by 12 and shall represent the monthly ~~mobile home parking~~
13 municipal permit fee.

14 **SECTION 25.** 66.0435 (3) (c) 2. of the statutes is amended to read:

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

1 begins on the first day of the next succeeding month and continues for the months
2 in which the ~~mobile home unit~~ remains in the tax district.

3 **SECTION 26.** 66.0435 (3) (c) 3. of the statutes is amended to read:

4 66.0435 (3) (c) 3. A new monthly ~~parking~~ municipal permit fee and a new
5 valuation shall be established each January and shall continue for that calendar
6 year.

7 **SECTION 27.** 66.0435 (3) (c) 5. and 6. of the statutes are amended to read:

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

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

20 **SECTION 28.** 66.0435 (3) (c) 7. of the statutes is repealed.

21 **SECTION 29.** 66.0435 (3) (c) 8. of the statutes is amended to read:

22 66.0435 (3) (c) 8. The credit under s. 79.10 (9) (bm), as it applies to the principal
23 dwelling on a parcel of taxable property, applies to the estimated fair market value
24 of a ~~mobile home unit~~ that is the principal dwelling of the owner. The owner of the
25 ~~mobile home unit~~ shall file a claim for the credit with the treasurer of the

1 municipality in which the property is located. To obtain the credit under s. 79.10 (9)
2 (bm), the owner shall attest on the claim that the ~~mobile home~~ unit is the owner's
3 principal dwelling. The treasurer shall reduce the owner's ~~parking~~ monthly
4 municipal permit fee by the amount of any allowable credit. The treasurer shall
5 furnish notice of all claims for credits filed under this subdivision to the department
6 of revenue as provided under s. 79.10 (1m).

7 **SECTION 30.** 66.0435 (3) (c) 9. of the statutes is created to read:

8 66.0435 (3) (c) 9. No monthly municipal permit fee may be imposed on a
9 financial institution, as defined in s. 69.30 (1) (b), that relates to a vacant unit that
10 has been repossessed by the financial institution.

11 **SECTION 31.** 66.0435 (3) (cm) to (f) of the statutes are amended to read:

12 66.0435 (3) (cm) Recreational mobile homes and recreational vehicles, as
13 defined in s. 340.01 (48r), are exempt from the monthly ~~parking~~ municipal permit
14 fee under par. (c). The exemption under this paragraph also applies to steps and a
15 platform, not exceeding 50 square feet, that lead to a recreational mobile home or
16 recreational vehicle, but does not apply to any other addition, attachment, patio, or
17 deck.

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

20 (e) If a ~~mobile home~~ unit is permitted by local ordinance to be located outside
21 of a licensed ~~park~~ community, the monthly ~~parking~~ municipal permit fee shall be
22 paid by the owner of the land on which it stands, and the owner of the land shall
23 comply with the reporting requirements of par. (c). The owner of the land may collect
24 the fee from the owner of the ~~mobile home~~ unit and, on or before January 10 and on
25 or before July 10, shall transmit to the taxation district all fees owed for the 6 months

1 ending on the last day of the month preceding the month when the transmission is
2 required.

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

5 **SECTION 32.** 66.0435 (3m) of the statutes is amended to read:

6 66.0435 (3m) ~~PARK COMMUNITY OPERATOR REIMBURSEMENT.~~ A ~~park~~ community
7 operator who is ~~required by municipal ordinance to collect the~~ collects a monthly
8 ~~parking municipal~~ permit fee from the ~~mobile home~~ unit owner may deduct, for
9 administrative expenses, ~~2%~~ 2 percent of the monthly fees collected.

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

11 66.0435 (4) APPLICATION FOR LICENSE. (intro.) Original application for ~~mobile~~
12 ~~home park~~ a community license shall be filed with the clerk of the licensing authority.
13 Applications shall be in writing, signed by the applicant and shall contain the
14 following:

15 **SECTION 34.** 66.0435 (4) (b) of the statutes is amended to read:

16 66.0435 (4) (b) The location and legal description of the ~~mobile home park~~
17 community.

18 **SECTION 35.** 66.0435 (4) (c) of the statutes is amended to read:

19 66.0435 (4) (c) The complete plan of the ~~park~~ community.

20 **SECTION 36.** 66.0435 (5) of the statutes is repealed.

21 **SECTION 37.** 66.0435 (8) of the statutes is amended to read:

22 66.0435 (8) DISTRIBUTION OF FEES. The licensing authority may retain ~~10%~~ 10
23 percent of the monthly ~~parking~~ municipal permit fees collected in each month,
24 without reduction for any amounts deducted under sub. (3m), to cover the cost of
25 administration. The licensing authority shall pay to the school district in which the

1 park community is located, within 20 days after the end of each month, such
2 proportion of the remainder of the fees collected in the preceding month as the ratio
3 of the most recent property tax levy for school purposes bears to the total tax levy for
4 all purposes in the licensing authority. If the park community is located in more than
5 one school district, each district shall receive a share in the proportion that its
6 property tax levy for school purposes bears to the total school tax levy.

7 **SECTION 38.** 66.0435 (9) of the statutes is amended to read:

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

19 **SECTION 39.** 66.0809 (3) of the statutes is amended to read:

20 66.0809 (3) Except as provided in subs. (4) and (5), on October 15 in each year
21 notice shall be given to the owner or occupant of all lots or parcels of real estate to
22 which utility service has been furnished prior to October 1 by a public utility operated
23 by a town, city or village and payment for which is owing and in arrears at the time
24 of giving the notice. The department in charge of the utility shall furnish the
25 treasurer with a list of the lots or parcels of real estate for which utility service

1 charges are in arrears, and the notice shall be given by the treasurer, unless the
2 governing body of the city, village or town authorizes notice to be given directly by
3 the department. The notice shall be in writing and shall state the amount of arrears,
4 including any penalty assessed pursuant to the rules of the utility; that unless the
5 amount is paid by November 1 a penalty of ~~10%~~ 10 percent of the amount of arrears
6 will be added; and that unless the arrears, with any added penalty, are paid by
7 November 15, the arrears and penalty will be levied as a tax against the lot or parcel
8 of real estate to which utility service was furnished and for which payment is
9 delinquent. The notice may be served by delivery to either the owner or occupant
10 personally, or by letter addressed to the owner or occupant at the post-office address
11 of the lot or parcel of real estate. On November 16 the officer or department issuing
12 the notice shall certify and file with the clerk a list of all lots or parcels of real estate,
13 giving the legal description, for which notice of arrears was given and for which
14 arrears remain unpaid, stating the amount of arrears and penalty. Each delinquent
15 amount, including the penalty, becomes a lien upon the lot or parcel of real estate to
16 which the utility service was furnished and payment for which is delinquent, and the
17 clerk shall insert the delinquent amount and penalty as a tax against the lot or parcel
18 of real estate. All proceedings in relation to the collection of general property taxes
19 and to the return and sale of property for delinquent taxes apply to the tax if it is not
20 paid within the time required by law for payment of taxes upon real estate. Under
21 this subsection, if an arrearage is for utility service furnished and metered by the
22 utility directly to a manufactured home or mobile home unit in a licensed
23 manufactured and mobile home park community, the notice shall be given to the
24 owner of the manufactured home or mobile home unit and the delinquent amount
25 becomes a lien on the manufactured home or mobile home unit rather than a lien on

1 the parcel of real estate on which the manufactured home or mobile home unit is
2 located. A lien on a manufactured home or mobile home unit may be enforced using
3 the procedures under s. 779.48 (2). This subsection does not apply to arrearages
4 collected using the procedure under s. 66.0627. In this subsection, "metered" means
5 the use of any method to ascertain the amount of service used or the use of a flat rate
6 billing method.

7 **SECTION 40.** 66.1019 (2) of the statutes is amended to read:

8 66.1019 (2) ~~MANUFACTURED BUILDING~~ MODULAR HOME CODE. Ordinances enacted
9 by any county, city, village or town relating to the on-site inspection of the
10 installation of ~~manufactured buildings~~ modular homes shall conform to subch. III of
11 ch. 101.

12 **SECTION 41.** 70.043 of the statutes is amended to read:

13 **70.043 Mobile homes and manufactured homes.** (1) A mobile home, as
14 defined in s. ~~66.0435 (1) (d)~~ 101.91 (10), or a manufactured home, as defined in s.
15 101.91 (2), is an improvement to real property if it is connected to utilities and is set
16 upon a foundation upon land which is owned by the mobile home or manufactured
17 home owner. In this section, a mobile home or manufactured home is "set upon a
18 foundation" if it is off its wheels and is set upon some other support.

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

24 **SECTION 42.** 70.111 (19) (title) of the statutes is amended to read:

1 70.111 (19) (title) CAMPING TRAILERS AND RECREATIONAL MOBILE HOMES, AND
2 RECREATIONAL VEHICLES.

3 **SECTION 43.** 70.111 (19) (b) of the statutes is amended to read:

4 70.111 (19) (b) Recreational mobile homes, as defined in s. 66.0435 (1) (hm), and
5 recreational vehicles, as defined in s. 340.01 (48r). The exemption under this
6 paragraph also applies to steps and a platform, not exceeding 50 square feet, that
7 lead to a doorway of a recreational mobile home or a recreational vehicle, but does
8 not apply to any other addition, attachment, deck, or patio.

9 **SECTION 44.** 70.112 (7) of the statutes is amended to read:

10 70.112 (7) MOBILE HOMES AND MANUFACTURED HOMES. Every ~~mobile home unit,~~
11 as defined in s. 66.0435 (1) (j), that is subject to a monthly ~~parking~~ municipal permit
12 fee under s. 66.0435 (3).

13 **SECTION 45.** 71.07 (6e) (a) 5. of the statutes is amended to read:

14 71.07 (6e) (a) 5. "Property taxes" means real and personal property taxes,
15 exclusive of special assessments, delinquent interest, and charges for service, paid
16 by a claimant, and the claimant's spouse if filing a joint return, on the eligible
17 veteran's or unremarried surviving spouse's principal dwelling in this state during
18 the taxable year for which credit under this subsection is claimed, less any property
19 taxes paid which are properly includable as a trade or business expense under
20 section 162 of the Internal Revenue Code. If the principal dwelling on which the
21 taxes were paid is owned by 2 or more persons or entities as joint tenants or tenants
22 in common or is owned by spouses as marital property, "property taxes" is that part
23 of property taxes paid that reflects the ownership percentage of the claimant, except
24 that this limitation does not apply to spouses who file a joint return. If the principal
25 dwelling is sold during the taxable year, the "property taxes" for the seller and buyer

1 shall be the amount of the tax prorated to each in the closing agreement pertaining
2 to the sale or, if not so provided for in the closing agreement, the tax shall be prorated
3 between the seller and buyer in proportion to months of their respective ownership.
4 “Property taxes” includes monthly ~~parking~~ municipal permit fees in respect to a
5 principal dwelling collected under s. 66.0435 (3) (c).

6 **SECTION 46.** 71.07 (9) (a) 3. of the statutes is amended to read:

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

22 **SECTION 47.** 71.07 (9) (a) 4. of the statutes is amended to read:

23 71.07 (9) (a) 4. “Rent constituting property taxes” means ~~25%~~ 25 percent of rent
24 if heat is not included, or ~~20%~~ 20 percent of rent if heat is included, paid during the
25 taxable year for which credit is claimed under this subsection, at arm’s length, for

1 the use of a principal dwelling and contiguous land, excluding any payment for
2 domestic, food, medical or other services which are unrelated to use of the dwelling
3 as housing, less any rent paid that is properly includable as a trade or business
4 expense under the internal revenue code. "Rent" includes space rental paid to a
5 landlord for parking a mobile home or manufactured home. Rent shall be
6 apportioned among the occupants of a principal dwelling according to their
7 respective contribution to the total amount of rent paid. "Rent" does not include rent
8 paid for the use of housing which was exempt from property taxation, except housing
9 for which payments in lieu of taxes were made under s. 66.1201 (22).

10 **SECTION 48.** 71.52 (2) of the statutes is amended to read:

11 71.52 (2) "Gross rent" means rental paid at arm's length, solely for the right
12 of occupancy of a homestead. "Gross rent" does not include, whether expressly set
13 out in the rental agreement or not, charges for any medical services; other personal
14 services such as laundry, transportation, counseling, grooming, recreational and
15 therapeutic services; shared living expenses, including but not limited to food,
16 supplies and utilities unless utility payments are included in the gross rent paid to
17 the landlord; and food furnished by the landlord as a part of the rental agreement.
18 "Gross rent" includes the rental paid to a landlord for parking of a mobile home or
19 manufactured home, exclusive of any charges for food furnished by the landlord as
20 a part of the rental agreement, plus parking monthly municipal permit fees paid
21 under s. 66.0435 (3) (c) for a rented mobile home or manufactured home. If a
22 homestead is an integral part of a multipurpose or multidwelling building, "gross
23 rent" is the percentage of the gross rent on that part of the multipurpose or
24 multidwelling building occupied by the household as a principal residence plus the
25 same percentage of the gross rent on the land surrounding it, not exceeding one acre,

1 that is reasonably necessary for use of the multipurpose or multidwelling building
2 as a principal residence, except as the limitations under s. 71.54 (2) (b) apply. If the
3 homestead is part of a farm, "gross rent" is the rent on up to 120 acres of the land
4 contiguous to the claimant's principal residence plus the rent on all improvements
5 to real property on that land, except as the limitations under s. 71.54 (2) (b) apply.
6 If a claimant and persons who are not members of the claimant's household reside
7 in a homestead, the claimant's "gross rent" is the gross rent paid by the claimant to
8 the landlord for the homestead.

9 **SECTION 49.** 71.52 (7) of the statutes is amended to read:

10 71.52 (7) "Property taxes accrued" means real or personal property taxes or
11 monthly parking ~~parking~~ municipal permit fees under s. 66.0435 (3) (c), exclusive of special
12 assessments, delinquent interest and charges for service, levied on a homestead
13 owned by the claimant or a member of the claimant's household. "Real or personal
14 property taxes" means those levied under ch. 70, less the tax credit, if any, afforded
15 in respect of such property by s. 79.10. If a homestead is owned by 2 or more persons
16 or entities as joint tenants or tenants in common or is owned as marital property or
17 survivorship marital property and one or more such persons, entities or owners is not
18 a member of the claimant's household, property taxes accrued is that part of property
19 taxes accrued levied on such homestead, reduced by the tax credit under s. 79.10,
20 that reflects the ownership percentage of the claimant and the claimant's household,
21 except that if a homestead is owned by 2 or more natural persons or if 2 or more
22 natural persons have an interest in a homestead, one or more of whom is not a
23 member of the claimant's household, and the claimant has a present interest, as that
24 term is used in s. 700.03 (1), in the homestead and is required by the terms of a will
25 that transferred the homestead or interest in the homestead to the claimant to pay

1 the entire amount of property taxes levied on the homestead, property taxes accrued
2 is property taxes accrued levied on such homestead, reduced by the tax credit under
3 s. 79.10. A marital property agreement or unilateral statement under ch. 766 has
4 no effect in computing property taxes accrued for a person whose homestead is not
5 the same as the homestead of that person's spouse. For purposes of this subsection,
6 property taxes are "levied" when the tax roll is delivered to the local treasurer for
7 collection. If a homestead is sold or purchased during the calendar year of the levy,
8 the property taxes accrued for the seller and the buyer are the amount of the tax levy
9 prorated to each in proportion to the periods of time each both owned and occupied
10 the homestead during the year to which the claim relates. The seller may use the
11 closing agreement pertaining to the sale of the homestead, the property tax bill for
12 the year before the year to which the claim relates or the property tax bill for the year
13 to which the claim relates as the basis for computing property taxes accrued, but
14 those taxes are allowable only for the portion of the year during which the seller
15 owned and occupied the sold homestead. If a household owns and occupies 2 or more
16 homesteads in the same calendar year, property taxes accrued is the sum of the
17 prorated property taxes accrued attributable to the household for each of such
18 homesteads. If the household owns and occupies the homestead for part of the
19 calendar year and rents a homestead for part of the calendar year, it may include both
20 the proration of taxes on the homestead owned and rent constituting property taxes
21 accrued with respect to the months the homestead is rented in computing the amount
22 of the claim under s. 71.54 (1). If a homestead is an integral part of a multipurpose
23 or multidwelling building, property taxes accrued are the percentage of the property
24 taxes accrued on that part of the multipurpose or multidwelling building occupied
25 by the household as a principal residence plus that same percentage of the property

1 taxes accrued on the land surrounding it, not exceeding one acre, that is reasonably
2 necessary for use of the multipurpose or multidwelling building as a principal
3 residence, except as the limitations of s. 71.54 (2) (b) apply. If the homestead is part
4 of a farm, property taxes accrued are the property taxes accrued on up to 120 acres
5 of the land contiguous to the claimant's principal residence and include the property
6 taxes accrued on all improvements to real property located on such land, except as
7 the limitations of s. 71.54 (2) (b) apply.

8 **SECTION 50.** 77.51 (4) (b) 6. of the statutes is amended to read:

9 77.51 (4) (b) 6. Thirty-five percent of the sale price of a new ~~mobile home that~~
10 ~~is a primary housing unit under s. 340.01 (29) manufactured home, as defined in s.~~
11 ~~101.91 (11), or of a new mobile home manufactured home, as defined in s. 101.91 (11),~~
12 ~~that is transported in 2 unattached sections if the total size of the combined sections,~~
13 ~~not including additions and attachments, is at least 984 square feet measured when~~
14 ~~the sections are ready for transportation. No credit may be allowed for trade-ins~~
15 ~~under subd. 3. or sub. (15) (b) 4. This subdivision does not apply to lease or rental.~~

16 **SECTION 51.** 77.51 (4) (b) 7. of the statutes is amended to read:

17 77.51 (4) (b) 7. For the sale of a ~~manufactured building~~ modular home, as
18 defined in s. 101.71 (6); at the retailer's option, except that after a retailer chooses
19 an option, the retailer may not use the other option for other sales without the
20 department's written approval; either ~~35%~~ 35 percent of the gross receipts or an
21 amount equal to the gross receipts minus the cost of the materials that become an
22 ingredient or component part of the building.

23 **SECTION 52.** 77.51 (13) (am) of the statutes is amended to read:

24 77.51 (13) (am) Any person making any retail sale of a motor vehicle, aircraft,
25 snowmobile, ~~mobile home not exceeding 45 feet in length~~ recreational vehicle, trailer,

(48r)
as defined in s. 340.01 (48n)

1 semitrailer, all-terrain vehicle or boat registered or titled, or required to be
2 registered or titled, under the laws of this state or of the United States.

3 **SECTION 53.** 77.51 (15) (b) 5. of the statutes is amended to read:

4 77.51 (15) (b) 5. Thirty-five percent of the total amount for which a new mobile
5 home that is a primary housing unit under s. 340.01 (29) manufactured home, as
6 defined in s. 101.91 (11), is sold. No credit may be allowed for trade-ins under subd.
7 4. or sub. (4) (b) 3. This subdivision does not apply to lease or rental.

8 **SECTION 54.** 77.51 (15) (b) 6. of the statutes is amended to read:

9 77.51 (15) (b) 6. For the sale of a manufactured building modular home, as
10 defined in s. 101.71 (6); at the retailer's option, except that after a retailer chooses
11 an option, the retailer may not use the other option for other sales without the
12 department's written approval; either ~~35%~~ 35 percent of the sales price or an amount
13 equal to the sales price minus the cost of the materials that become an ingredient or
14 component part of the building.

15 **SECTION 55.** 77.52 (2) (a) 1. of the statutes is amended to read:

16 77.52 (2) (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,
17 motel operators and other persons furnishing accommodations that are available to
18 the public, irrespective of whether membership is required for use of the
19 accommodations. In this subdivision, "transient" means any person residing for a
20 continuous period of less than one month in a hotel, motel or other furnished
21 accommodations available to the public. In this subdivision, "hotel" or "motel" means
22 a building or group of buildings in which the public may obtain accommodations for
23 a consideration, including, without limitation, such establishments as inns, motels,
24 tourist homes, tourist houses or courts, lodging houses, rooming houses, summer
25 camps, apartment hotels, resort lodges and cabins and any other building or group

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1 of buildings in which accommodations are available to the public, except
 2 accommodations, including mobile homes as defined in s. 66.0435 (1) (d) 101.91 (10),
 3 manufactured homes as defined in s. 101.91 (2), and recreational vehicles as defined
 4 in s. 340.01 (48r), rented for a continuous period of more than one month and
 5 accommodations furnished by any hospitals, sanatoriums, or nursing homes, or by
 6 corporations or associations organized and operated exclusively for religious,
 7 charitable or educational purposes provided that no part of the net earnings of such
 8 corporations and associations inures to the benefit of any private shareholder or
 9 individual. In this subdivision, "one month" means a calendar month or 30 days,
 10 whichever is less, counting the first day of the rental and not counting the last day
 11 of the rental.

12 **SECTION 56.** 77.53 (17) of the statutes is amended to read:

*as defined in
s. 340.01 (48r)*

13 77.53 (17) This section does not apply to tangible personal property purchased
 14 outside this state, other than motor vehicles, boats, snowmobiles, mobile homes not
 15 exceeding 45 feet in length recreational vehicles, trailers, semitrailers, all-terrain
 16 vehicles and airplanes registered or titled or required to be registered or titled in this
 17 state, which is brought into this state by a nondomiciliary for the person's own
 18 storage, use or other consumption while temporarily within this state when such
 19 property is not stored, used or otherwise consumed in this state in the conduct of a
 20 trade, occupation, business or profession or in the performance of personal services
 21 for wages or fees.

22 **SECTION 57.** 77.53 (18) of the statutes is amended to read:

23 77.53 (18) This section does not apply to the storage, use or other consumption
 24 in this state of household goods for personal use or to aircraft, motor vehicles, boats,
 25 snowmobiles, mobile homes, manufactured homes, recreational vehicles, trailers,

*as defined in
s. 101.91 (2)*

as defined in s. 340.01 (48r)

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FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0049/lins
JK&RNK:lmk:nwn

Insert 20-15

1 SECTION 1. 77.51 (4) (b) 6. of the statutes is amended to read:

2 77.51 (4) (b) 6. Thirty-five percent of the sale price of a new ~~mobile home~~
3 manufactured home, as defined in s. 101.91 (11), that is a primary housing unit under
4 s. 340.01 (29) or of a new ~~mobile home~~ manufactured home, as defined in s. 101.91
5 (11), that is transported in 2 unattached sections if the total size of the combined
6 sections, not including additions and attachments, is at least 984 square feet
7 measured when the sections are ready for transportation. No credit may be allowed
8 for trade-ins under subd. 3. or sub. (15) (b) 4. This subdivision does not apply to lease
9 or rental. ✓

History: 1973 c. 333; 1975 c. 39, 41, 99, 224; 1975 c. 413 s. 18; 1977 c. 29, 418; 1979 c. 1 ss. 57 to 59, 61, 62; 1979 c. 174; 1981 c. 20; 1981 c. 79 s. 17; 1983 a. 23, 27; 1983 a. 189 ss. 92 to 108, 329 (12); 1983 a. 510, 538; 1983 a. 544 ss. 13 to 46, 47 (1) (b); 1985 a. 29, 332; 1987 a. 27, 399; 1989 a. 31, 335, 336; 1991 a. 39, 269, 316; 1993 a. 16, 112, 184; 1997 a. 27, 237; 1999 a. 9, 83; 2001 a. 45, 102; 2003 a. 48; 2005 a. 25, 327, 441, 479.

Insert 21-81

10 SECTION 2. 77.51 (15) (b) 5. of the statutes is amended to read:

11 77.51 (15) (b) 5. Thirty-five percent of the total amount for which a new ~~mobile~~
12 ~~home~~ manufactured home, as defined in s. 101.91 (11), that is a primary housing unit
13 under s. 340.01 (29) is sold. ✓ No credit may be allowed for trade-ins under subd. 4.
14 or sub. (4) (b) 3. This subdivision does not apply to lease or rental.

History: 1973 c. 333; 1975 c. 39, 41, 99, 224; 1975 c. 413 s. 18; 1977 c. 29, 418; 1979 c. 1 ss. 57 to 59, 61, 62; 1979 c. 174; 1981 c. 20; 1981 c. 79 s. 17; 1983 a. 23, 27; 1983 a. 189 ss. 92 to 108, 329 (12); 1983 a. 510, 538; 1983 a. 544 ss. 13 to 46, 47 (1) (b); 1985 a. 29, 332; 1987 a. 27, 399; 1989 a. 31, 335, 336; 1991 a. 39, 269, 316; 1993 a. 16, 112, 184; 1997 a. 27, 237; 1999 a. 9, 83; 2001 a. 45, 102; 2003 a. 48; 2005 a. 25, 327, 441, 479.

Insert 23-16

15 SECTION 3. 77.54 (31) of the statutes is amended to read:

16 77.54 (31) The gross receipts from the sale of and the storage, use or other
17 consumption in this state, but not the lease or rental, of used mobile homes ~~that, as~~
18 defined in s. 101.91 (10), and used manufactured homes, as defined in s. 101.91 (12),
19 if such homes are primary housing units under s. 340.01 (29). ✓

History: 1971 c. 64, 154, 215, 311; 1973 c. 90, 156, 240; 1975 c. 39, 96, 102, 146, 200; 1977 c. 29; 1977 c. 83 ss. 13, 26; 1977 c. 250, 368, 418; 1979 c. 1, 34, 87, 174; 1981 c. 20; 1981 c. 79 s. 18; 1981 c. 96 s. 67; 1981 c. 264; 1981 c. 282 s. 47; 1981 c. 317; 1983 a. 27 ss. 1284d to 1284np, 2202 (38); 1983 a. 189 ss. 101, 106, 329 (5), (12), (13);

1983 a. 192, 287, 405, 426, 498, 510, 538, 544; 1985 a. 29, 149, 332; 1987 a. 27; 1987 a. 312 s. 17; 1987 a. 399; 1989 a. 31, 238, 270, 335, 359; 1991 a. 37, 39, 269, 316; 1993 a. 16, 263, 332; 1995 a. 27, 125, 225, 227; 1997 a. 27, 35, 41, 184, 237, 291; 1999 a. 9, 65, 83; 1999 a. 150 s. 672; 1999 a. 167; 2001 a. 16, 103, 109; 2003 a. 99, 128; 2005 a. 25, 74, 141, 149, 335, 366, 479; s. 13.93 (2) (c).

1 semitrailers and all-terrain vehicles, for personal use, purchased by a
2 nondomiciliary of this state outside this state 90 days or more before bringing the
3 goods or property into this state in connection with a change of domicile to this state.

4 SECTION 58. 77.54 (7) (b) (intro.) of the statutes is amended to read:

5 77.54 (7) (b) (intro.) If the item transferred is a motor vehicle, snowmobile,
6 mobile home not exceeding 45 feet in length recreational vehicle, trailer, semitrailer,
7 all-terrain vehicle or aircraft and the item is registered or titled, or required to be
8 registered or titled, in this state or if the item is a boat that is registered or titled, or
9 required to be registered or titled, in this state or under the laws of the United States,
10 the exemption under par. (a) applies only if all of the following conditions are
11 fulfilled:

12 SECTION 59. 77.54 (31) of the statutes is amended to read:

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13 77.54 (31) The gross receipts from the sale of and the storage, use or other
14 consumption in this state, but not the lease or rental, of used mobile homes that are
15 primary housing units under s. 340.01 (29) 101.91 (10) and used manufactured
16 homes under s. 101.91 (2).

17 SECTION 60. 77.54 (36) of the statutes is amended to read:

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

23 SECTION 61. 77.61 (1) (a) of the statutes is amended to read:

24 77.61 (1) (a) No motor vehicle, boat, snowmobile, mobile home not exceeding
25 45 feet in length recreational vehicle, trailer, semitrailer, all-terrain vehicle or

par defined in s. 340.01 (48r)
(use 2x)

as defined in s. 340.01(48f)

as defined in s. 340.01(48f) (use 3p)

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 62.** 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 63.** 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 64.** 77.78 of the statutes is amended to read:

as defined in s. 340.01 (48r)

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 65.** 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 66.** 77.995 (2) of the statutes is amended to read:

15 77.995 (2) There is imposed a fee at the rate of ~~5%~~ 5 percent of the gross receipts
16 on the rental, but not for rental and not for rental as a service or repair replacement
17 vehicle of Type 1 automobiles, as defined in s. 340.01 (4) (a); of ~~mobile homes, as~~
18 ~~defined in s. 340.01 (29);~~ recreational vehicles, as defined in s. 340.01 (48r); of motor
19 homes, as defined in s. 340.01 (33m); and of camping trailers, as defined in s. 340.01
20 (6m) by establishments primarily engaged in short-term rental of vehicles without
21 drivers, for a period of 30 days or less, unless the sale is exempt from the sales tax
22 under s. 77.54 (1), (4), (7) (a), (7m) or (9a). There is also imposed a fee at the rate of
23 ~~5%~~ 5 percent of the gross receipts on the rental of limousines.

24 **SECTION 67.** 79.03 (3) (b) 4. a. of the statutes is amended to read:

as defined in s. 101.91(2)

as defined in s. 340.01 (48r)

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

3 **SECTION 71.** 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 72.** 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 73.** 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 74.** 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 75.** 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

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 76.** 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 77.** 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 78.** 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 79.** 101.73 (3) of the statutes is amended to read:

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 80.** 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 81.** 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 82.** 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 83.** 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 84.** 101.74 (4) of the statutes is amended to read:

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 85.** 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 86.** 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~~ modular home code and the rules promulgated under this subchapter.

13 **SECTION 87.** 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 88.** 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 89.** 101.75 (2) of the statutes is amended to read:

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 90.** 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 91.** 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 92.** 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

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 93.** 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 94.** 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 95.** 101.971 (2) of the statutes is amended to read:

14 101.971 (2) "Multifamily dwelling" means an apartment building, rowhouse,
15 town house, condominium, or ~~manufactured building~~ modular home, as defined in
16 s. 101.71 (6), that does not exceed 60 feet in height or 6 stories and that consists of
17 3 or more attached dwelling units the initial construction of which is begun on or
18 after January 1, 1993. "Multifamily dwelling" does not include a facility licensed
19 under ch. 50.

20 **SECTION 96.** 106.50 (1m) (L) of the statutes is amended to read:

21 106.50 (1m) (L) "Housing" means any improved property, or any portion
22 thereof, including a mobile home as defined in s. ~~66.0435 (1) (d)~~ 101.91 (10),
23 manufactured home, as defined in s. 101.91 (2), or condominium, that is used or
24 occupied, or is intended, arranged or designed to be used or occupied, as a home or
25 residence. "Housing" includes any vacant land that is offered for sale or rent for the

1 construction or location thereon of any building, structure or portion thereof that is
2 used or occupied, or is intended, arranged or designed to be used or occupied, as a
3 home or residence.

4 **SECTION 97.** 138.052 (1) (b) of the statutes is amended to read:

5 138.052 (1) (b) "Loan" means a loan secured by a first lien real estate mortgage
6 on, or an equivalent security interest in, a ~~one-~~ one-family to 4-family dwelling
7 which the borrower uses as his or her principal place of residence and which is made,
8 refinanced, renewed, extended or modified on or after November 1, 1981, but does
9 not include a mobile manufactured home transaction as defined in s. 138.056 (1) (e)
10 (bg).

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

12 138.056 (1) (b) "Dwelling" includes a cooperative housing unit and a mobile
13 home or manufactured home.

14 **SECTION 99.** 138.056 (1) (bd) of the statutes is created to read:

15 138.056 (1) (bd) "Manufactured home" has the meaning given in s. 101.91 (2).

16 **SECTION 100.** 138.056 (1) (bm) of the statutes is amended to read:

17 138.056 (1) (bm) "~~Mobile home~~" ~~means a vehicle designed to be towed as a~~
18 ~~single unit or in sections upon a highway by a motor vehicle and equipped and used,~~
19 ~~or intended to be used, primarily for human habitation, with walls of rigid~~
20 ~~uncollapsible construction. "Mobile home" includes the mobile home structure,~~
21 ~~including the plumbing, heating and electrical systems and all appliances and all~~
22 ~~other equipment carrying a manufacturer's warranty~~ has the meaning given in s.
23 101.91 (10).

24 **SECTION 101.** 138.056 (1) (c) of the statutes is renumbered 138.056 (1) (bg)
25 amended to read:

1 138.056 (1) (bg) "~~Mobile~~ Manufactured home transaction" means a consumer
2 credit sale, as defined in s. 421.301 (9), of or a consumer loan, as defined in s. 421.301
3 (12), secured by a first lien or equivalent security interest in a mobile home or
4 manufactured home.

5 **SECTION 102.** 138.056 (1) (d) of the statutes is amended to read:

6 138.056 (1) (d) "Variable rate loan" means a ~~mobile~~ manufactured home
7 transaction or a loan as defined in s. 138.052 (1) (b), the terms of which permits the
8 interest rate to be increased or decreased.

9 **SECTION 103.** 138.056 (3m) (a) 4. of the statutes is amended to read:

10 138.056 (3m) (a) 4. The prepayment is not made in connection with the sale of
11 a dwelling or ~~mobile~~ manufactured home securing the loan.

12 **SECTION 104.** 138.09 (7) (jm) 1. b. of the statutes is amended to read:

13 138.09 (7) (jm) 1. b. The loan administration fee is charged for a consumer loan
14 that is secured primarily by an interest in real property ~~or~~, in a mobile home, as
15 defined in s. ~~138.056 (1) (bm)~~ 101.91 (10), or in a manufactured home, as defined in
16 s. 101.91 (2).

17 **SECTION 105.** 214.485 (10) of the statutes is amended to read:

18 214.485 (10) For the purpose of mobile home or manufactured home financing.

19 **SECTION 106.** 215.205 (1) of the statutes is amended to read:

20 215.205 (1) Loans or obligations, or interests therein, for the purpose of mobile
21 home or manufactured home financing.

22 **SECTION 107.** 218.10 (8m) of the statutes is amended to read:

23 218.10 (8m) "~~Recreational vehicle~~" means ~~a mobile home, as defined in s.~~
24 ~~340.01 (29), that does not exceed the statutory size under s. 348.07 (2)~~ has the
25 meaning given in s. 340.01 (48r).

1 **SECTION 108.** 234.622 (7) of the statutes is amended to read:

2 234.622 (7) "Qualifying dwelling unit" means a dwelling unit, not including a
3 mobile home as defined in s. ~~66-0435~~ 101.91 (10), located in this state, habitable as
4 a permanent residence and to which property taxes or special assessments are, or
5 may conveniently be, allocated and up to one acre of land appertaining to it held in
6 the same ownership as the dwelling unit. For purposes of ss. 234.621 to 234.626,
7 "qualifying dwelling unit" includes a unit in a condominium or in a cooperative or an
8 unincorporated cooperative association or in a ~~multi-unit~~ multiunit dwelling with
9 4 or fewer units, but in all of these 3 cases only the portion of taxes or special
10 assessments allocable to the unit lived in by the participant may qualify for loans
11 under ss. 234.621 to 234.626.

12 **SECTION 109.** 340.01 (18m) of the statutes is amended to read:

13 340.01 (18m) "Fifth-wheel ~~mobile home~~ recreational vehicle" means a mobile
14 home as defined in sub. (29) which recreational vehicle that is towed by a vehicle with
15 a flatbed frame so the trailer hitch of the ~~mobile home~~ recreational vehicle is bolted
16 to the flatbed frame of the towing vehicle.

17 **SECTION 110.** 340.01 (27m) of the statutes is created to read:

18 340.01 (27m) "Manufactured home" has the meaning given in s. 101.91 (2).

19 **SECTION 111.** 340.01 (29) of the statutes is amended to read:

20 340.01 (29) "Mobile home" means a vehicle designed to be towed as a single unit
21 or in sections upon a highway by a motor vehicle and equipped and used or intended
22 to be used, primarily for human habitation, with walls of rigid uncollapsible
23 construction has the meaning given in s. 101.91 (10).

24 **SECTION 112.** 340.01 (29k) of the statutes is created to read:

25 340.01 (29k) "Modular home" has the meaning given in s. 101.71 (6).

1 **SECTION 113.** 340.01 (48r) of the statutes is amended to read:

2 340.01 (48r) "Recreational vehicle" means a ~~mobile home that does not exceed~~
3 ~~the statutory size under s. 348.07 (2)~~ vehicle that is designed to be towed upon a
4 highway by a motor vehicle, that is equipped and used, or intended to be used,
5 primarily for temporary or recreational human habitation, that has walls of rigid
6 construction, and that does not exceed 45 feet in length.

7 **SECTION 114.** 341.05 (26) (a) of the statutes is renumbered 341.05 (26).

8 **SECTION 115.** 341.05 (26) (b) of the statutes is repealed.

9 **SECTION 116.** 341.12 (1) of the statutes is amended to read:

10 341.12 (1) The department upon registering a vehicle pursuant to s. 341.25 or
11 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an
12 automobile, motor truck, motor bus, school bus, ~~self-propelled recreational vehicle~~
13 motor home, or dual purpose motor home and one plate for other vehicles. The
14 department upon registering a vehicle pursuant to any other section shall issue one
15 plate unless the department determines that 2 plates will better serve the interests
16 of law enforcement.

17 **SECTION 117.** 343.055 (1) (d) of the statutes is amended to read:

18 343.055 (1) (d) *Recreational vehicle operators.* The operator of the commercial
19 motor vehicle is a person operating a motor home, or a vehicle towing a 5th-wheel
20 ~~mobile home~~ recreational vehicle or single-unit recreational vehicle and the vehicle
21 or combination, including both units of a combination towing vehicle and the
22 5th-wheel ~~mobile home~~ recreational vehicle or recreational vehicle, is both operated
23 and controlled by the person and is transporting only members of the person's family,
24 guests or their personal property. This paragraph does not apply to any

1 transportation for hire or the transportation of any property connected to a
2 commercial activity. In this paragraph, "controlled" means leased or owned.

3 **SECTION 118.** 346.94 (8) of the statutes is amended to read:

4 346.94 (8) TRANSPORTING PERSONS IN MOBILE HOMES, RECREATIONAL VEHICLES, OR
5 BOATS. Except as provided in sub. (8m), no person may operate a motor vehicle towing
6 any mobile home, recreational vehicle, or boat on a trailer upon a highway when any
7 person is in such mobile home, recreational vehicle, or boat.

8 **SECTION 119.** 346.94 (8m) of the statutes is amended to read:

9 346.94 (8m) TRANSPORTING PERSONS IN FIFTH-WHEEL MOBILE ~~HOMES~~
10 RECREATIONAL VEHICLES. (a) No person may operate a motor vehicle towing a
11 fifth-wheel ~~mobile home~~ recreational vehicle upon a highway when any person
12 under the age of 12 years is in the fifth-wheel ~~mobile home~~ recreational vehicle
13 unless one person 16 years of age or older is also in the fifth-wheel ~~mobile home~~
14 recreational vehicle.

15 (b) No person may operate a motor vehicle towing a fifth-wheel ~~mobile home~~
16 recreational vehicle upon a highway with any person in such ~~mobile home~~
17 recreational vehicle unless the fifth-wheel ~~mobile home~~ recreational vehicle is
18 equipped with a two-way communications system in proper working order and
19 capable of providing voice communications between the operator of the towing
20 vehicle and any occupant of the fifth-wheel ~~mobile home~~ recreational vehicle.

21 **SECTION 120.** 347.15 (2) of the statutes is amended to read:

22 347.15 (2) Except as provided in sub. (1), there shall be at least 2 direction
23 signal lamps showing to the front on motor vehicles and at least 2 showing to the rear
24 on motor vehicles, mobile homes, recreational vehicles, trailers and semitrailers, so
25 as to indicate intention to turn right or left. Lamps showing to the front shall be

1 located on the same level and as widely spaced laterally as practicable and lamps
2 showing to the rear shall be located on the same level and as widely spaced laterally
3 as practicable. Such lamps shall project a flashing white or amber light visible to the
4 front and a flashing red or amber light visible to the rear. Direction signal lamps
5 when in use shall be plainly visible and understandable from all distances to 300 feet
6 during normal sunlight. No direction signal lamp shall have any type of decorative
7 covering that restricts the amount of light emitted when the direction signal lamp
8 is in use. When actuated, such lamps shall indicate the intended direction of turning
9 by flashing the lights showing to the front and rear on the side toward which the turn
10 is made. This subsection does not apply to any type of decorative covering originally
11 equipped on the vehicle at the time of manufacture and sale.

12 **SECTION 121.** 347.35 (4) of the statutes is amended to read:

13 347.35 (4) MOBILE HOMES AND RECREATIONAL VEHICLES. No person shall
14 manufacture and no person shall sell a mobile home or recreational vehicle in this
15 state unless such mobile home or recreational vehicle is equipped with brakes
16 adequate to control the movement of and to stop and hold it. No person shall operate
17 on a highway any mobile home registered as a 1940 or later year model or
18 recreational vehicle unless such mobile home or recreational vehicle is equipped with
19 brakes adequate to control the movement of and to stop and hold it.

20 **SECTION 122.** 347.45 (1) of the statutes is amended to read:

21 347.45 (1) All automobiles, motor trucks, motor buses, truck tractors, trailers,
22 semitrailers, recreational vehicles, and mobile homes when operated upon a
23 highway shall be completely equipped with tires inflated with compressed air and
24 all other motor vehicles when operated on a highway shall be equipped with tires of
25 rubber or of some material or construction of equal resiliency. No person may operate

1 on a highway any motor vehicle, trailer, semitrailer, recreational vehicle, or mobile
2 home having any metal tire in contact with the roadway, except that tire chains of
3 reasonable proportions may be used when required for safety because of snow, ice or
4 other conditions tending to cause a vehicle to skid, and except as provided in sub. (2)
5 (c).

6 **SECTION 123.** 347.47 (2) of the statutes is amended to read:

7 347.47 (2) No person shall operate a motor vehicle drawing a trailer,
8 semitrailer, recreational vehicle, or mobile home upon a highway unless the hitch
9 and coupling attaching the trailer, semitrailer, recreational vehicle, or mobile home
10 to the vehicle by which it is drawn is of such construction as to cause such trailer,
11 semitrailer, recreational vehicle, or mobile home to follow in direct line with the
12 propelling vehicle without dangerous side swing or wobble. The hitch and coupling,
13 the surface to which they are attached, and the connections, shall be of sufficient
14 strength to prevent failure under all conditions of operation. The hitch is that part
15 of the connecting mechanism, including the coupling platform and its attaching
16 members or weldments, which is attached to the towing vehicle. The coupling is that
17 part of the connecting mechanism, including the coupling and its attaching members
18 or weldments, which is attached to the trailer, recreational vehicle, or mobile home
19 and by which connection is made to the hitch. If a device is used between the trailer
20 proper and the coupling such as a pole, such device shall also meet the requirements
21 of this section.

22 **SECTION 124.** 347.47 (4) of the statutes is amended to read:

23 347.47 (4) Trailer, semitrailer, recreational vehicle, and mobile home couplings
24 and the safety chains, leveling bars or cables shall be of such minimum strength,
25 design and type as established by published rule of the department.

1 **SECTION 125.** 348.06 (1) of the statutes is amended to read:

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

5 **SECTION 126.** 348.07 (2) (c) of the statutes is amended to read:

6 348.07 (2) (c) Forty five feet for ~~mobile homes~~ recreational vehicles, motor
7 homes, and motor buses.

8 **SECTION 127.** 348.07 (3) (a) of the statutes is amended to read:

9 348.07 (3) (a) The overall length of a mobile home or recreational vehicle shall
10 be measured from the rear thereof to the rear of the vehicle to which it is attached.

11 **SECTION 128.** 348.10 (5) (intro.) of the statutes is amended to read:

12 348.10 (5) (intro.) The load imposed upon trailers ~~or~~, semitrailers, recreational
13 vehicles, or mobile homes shall be distributed in a manner that will prevent side
14 sway under all conditions of operation:

15 **SECTION 129.** 348.10 (5) (a) of the statutes is amended to read:

16 348.10 (5) (a) All items of load carried by any trailer, semitrailer, recreational
17 vehicle, or mobile home, except bulk material such as sand, gravel, dirt not in
18 containers, shall be secured to, on or in the trailer, semitrailer, recreational vehicle,
19 or mobile home in such manner as to prevent shifting of the load while the trailer,
20 semitrailer, recreational vehicle, or mobile home is being drawn by a towing vehicle.

21 **SECTION 130.** 348.10 (5) (c) of the statutes is amended to read:

22 348.10 (5) (c) The load carried by any trailer, semitrailer, recreational vehicle,
23 or mobile home shall be so positioned that a weight of not less than 35 pounds is
24 imposed at the center of the point of attachment to the towing vehicle when parked
25 on a level surface.

1 **SECTION 131.** 348.26 (4) of the statutes is amended to read:

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

11 **SECTION 132.** 348.27 (7) of the statutes is amended to read:

12 348.27 (7) ~~MOBILE HOME, MANUFACTURED HOME, AND MODULAR HOME~~ PERMITS. The
13 department may issue annual or consecutive month statewide permits to licensed
14 mobile home, manufactured home, or modular home transport companies and to
15 licensed mobile home, manufactured home, or modular home manufacturers and
16 dealers authorizing them to transport oversize mobile homes, manufactured homes,
17 or modular homes over any of the highways of the state in the ordinary course of their
18 business.

19 **SECTION 133.** 348.27 (7m) of the statutes is amended to read:

20 348.27 (7m) The department may issue an annual or consecutive month permit
21 for the movement of a 3-vehicle combination consisting of a towing vehicle and, in
22 order by weight, with the lighter of the towed vehicles as the 3rd vehicle in the
23 3-vehicle combination unless not structurally possible, a ~~mobile home~~ recreational
24 vehicle or camping trailer, and a trailer for a personal recreational vehicle, if the
25 overall length of the combination of vehicles does not exceed 60 feet or, if the 2nd

1 vehicle in the 3-vehicle combination is equipped with brakes adequate to control the
2 movement of and to stop and hold it, does not exceed 65 feet, and the towed vehicles
3 are for the use of the operator of the towing vehicle. A permit under this subsection
4 may be issued only by the department, regardless of the highways to be used. The
5 department may designate the routes that may be used by the permittee. The fee
6 for an annual permit under this subsection is \$40. The fee for a consecutive month
7 permit under this subsection shall be determined in the manner provided in s. 348.25
8 (8) (bm), except that the \$40 fee for an annual permit under this subsection shall be
9 used in the computation. No 3-vehicle combination may operate under this
10 paragraph if highway or weather conditions include heavy snow, freezing rain, icy
11 roads, high winds, limited visibility, or upon a highway that is closed or partially
12 closed by the department due to highway conditions.

13 **SECTION 134.** 349.03 (2) of the statutes is amended to read:

14 349.03 (2) No local authority may enact or enforce any traffic regulation
15 providing for suspension or revocation of motor vehicle operator's licenses or
16 requiring local registration of vehicles, except as authorized by s. 341.35, or in any
17 manner excluding or prohibiting any motor vehicle, mobile home, vehicle
18 transporting a manufactured home or modular home, recreational vehicle, trailer,
19 or semitrailer whose owner has complied with chs. 341 to 348 from the free use of all
20 highways, except as authorized by sub. (3) and ss. 66.0429 (1) and (3), 349.13, 349.17,
21 349.22 and 349.23.

22 **SECTION 135.** 422.201 (12m) of the statutes is amended to read:

23 422.201 (12m) This section does not apply to consumer credit sales of or
24 consumer loans secured by a first lien on or equivalent security interest in mobile

1 homes or manufactured homes, as defined in s. ~~138.056 (1) (bm)~~ 101.91, if the sales
2 or loans are made on or after November 1, 1981.

3 **SECTION 136.** 422.202 (2) (intro.) of the statutes is amended to read:

4 422.202 (2) (intro.) With respect to a consumer credit transaction which
5 involves a ~~mobile~~ manufactured home transaction as defined in s. 138.056 (1) ~~(e)~~ (bg)
6 or the extension of credit secured by an interest in real property, the parties may
7 agree to the payment by the customer of the following charges in addition to the
8 finance charge, if they will be paid to persons not related to the merchant, are
9 reasonable in amount, bona fide and not for the purpose of circumvention or evasion
10 of this subchapter:

11 **SECTION 137.** 422.209 (1m) (a) 2. of the statutes is amended to read:

12 422.209 (1m) (a) 2. The loan administration fee is for a consumer loan that is
13 secured primarily by an interest in real property or in a mobile home, as defined in
14 s. ~~138.056 (1) (bm)~~ 101.91 (10), or in a manufactured home, as defined in s. 101.91
15 (2).

16 **SECTION 138.** 422.209 (6m) of the statutes is amended to read:

17 422.209 (6m) For purpose of this section, the finance charge in a ~~mobile~~
18 manufactured home transaction as defined in s. 138.056 (1) ~~(e)~~ (bg) does not include
19 fees, discounts, or other sums actually imposed by the government national
20 mortgage association, the federal national mortgage association, the federal home
21 loan mortgage corporation or other governmentally sponsored secondary mortgage
22 market purchaser of the loan or any private secondary mortgage market purchaser
23 of the loan who is not a person related to the original lender.

24 **SECTION 139.** 422.402 (5) (intro.) of the statutes is amended to read:

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

4 **SECTION 140.** 422.402 (5) (b) of the statutes is amended to read:

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

10 **SECTION 141.** 422.413 (2g) (intro.) of the statutes is amended to read:

11 422.413 (2g) (intro.) In any consumer credit transaction in which the collateral
12 is a motor vehicle as defined in s. 340.01 (35), a trailer as defined in s. 340.01 (71),
13 a snowmobile as defined in s. 340.01 (58a), a boat as defined in s. 30.50 (2), an aircraft
14 as defined in s. 114.002 (3), or a mobile home or manufactured home as defined in s.
15 ~~138.056 (1) (bm)~~ 101.91, a writing evidencing the transaction may provide for the
16 creditor's recovery of all of the following expenses, if the expenses are reasonable and
17 bona fide:

18 **SECTION 142.** 424.301 (1) (b) 1. of the statutes is amended to read:

19 424.301 (1) (b) 1. The actual cash value or stated value of any motor vehicle,
20 manufactured home, or mobile home in which the creditor holds a security interest.

21 **SECTION 143.** 707.02 (4) of the statutes is amended to read:

22 707.02 (4) "Campground" means real property that is available for use by
23 campground members under a campground contract and is intended for camping or
24 outdoor recreation, including the use of campsites and campground amenities by

1 campground members, but does not include a manufactured and mobile home park
2 community as defined in s. 66.0435 (1) (e) (cg).

3 **SECTION 144.** 710.15 (title) of the statutes is amended to read:

4 **710.15 (title) Mobile Manufactured and mobile home park community**
5 **regulations.**

6 **SECTION 145.** 710.15 (1) (a) of the statutes is renumbered 710.15 (1) (ag) and
7 amended to read:

8 710.15 (1) (ag) "Lease" means a written agreement between an operator and
9 a resident ~~or mobile home occupant~~ establishing the terms upon which the mobile
10 home ~~or manufactured home~~ may be located in the park community or the mobile
11 ~~home occupant resident~~ may occupy a mobile home or manufactured home in the
12 park community.

13 **SECTION 146.** 710.15 (1) (am) of the statutes is created to read:

14 710.15 (1) (am) "Manufactured home" has the meaning given in s. 101.91 (2).

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

16 710.15 (1) (b) "Mobile home" has the meaning given under s. 66.0435 (1) (d)
17 101.91 (10), but does not include ~~any unit used primarily for camping, touring or~~
18 ~~recreational purposes~~ a recreational vehicle, as defined in s. 340.01 (48r).

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

20 710.15 (1) (c) "~~Mobile home occupant~~ Occupant" means a person who rents a
21 mobile home or manufactured home in a park community from an operator or who
22 occupies a mobile home or manufactured home located on a plot of ground that is
23 rented in a community from an operator.

24 **SECTION 149.** 710.15 (1) (d) of the statutes is amended to read:

1 710.15 (1) (d) "Operator" means a person engaged in the business of renting
2 plots of ground or mobile homes or manufactured homes in a park community to
3 mobile home or manufactured home owners or ~~mobile home~~ occupants.

4 **SECTION 150.** 710.15 (1) (e) of the statutes is renumbered 710.15 (1) (ad) and
5 amended to read:

6 710.15 (1) (ad) "Park Community" means a tract of land containing 2 3 or more
7 plots of ground upon which mobile homes or manufactured homes are located in
8 exchange for the payment of rent or any other fee pursuant to a lease.

9 **SECTION 151.** 710.15 (1) (f) of the statutes is amended to read:

10 710.15 (1) (f) "Resident" means a person who rents a mobile home or
11 manufactured home site in a park community from an operator and who occupies the
12 mobile home or site as his or her residence.

13 **SECTION 152.** 710.15 (1m) of the statutes is amended to read:

14 710.15 (1m) REQUIREMENT AND TERM OF LEASE. Every agreement for the rental
15 of a mobile home site ~~or mobile home~~ or manufactured home site shall be by lease.
16 Every lease shall be for a term of at least one year unless the resident or ~~mobile home~~
17 occupant requests a shorter term and the operator agrees to the shorter term.

18 **SECTION 153.** 710.15 (2) of the statutes is amended to read:

19 710.15 (2) RULES INCLUDED IN LEASE. All park community rules that
20 substantially affect the rights or duties of residents or ~~mobile home~~ occupants or of
21 operators, including ~~park community~~ park community rules under sub. (2m) (b), shall be made a part
22 of every lease between them.

23 **SECTION 154.** 710.15 (2m) (a) of the statutes is amended to read:

24 710.15 (2m) (a) Every lease shall state whether the park community contains
25 an emergency shelter.

1 **SECTION 155.** 710.15 (2m) (b) of the statutes is amended to read:

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

5 **SECTION 156.** 710.15 (3) of the statutes is amended to read:

6 710.15 (3) PROHIBITED CONSIDERATION OF AGE OF MOBILE HOME OR MANUFACTURED
7 HOME. (a) An operator may not deny a resident the opportunity to enter into or renew,
8 and may not include, exclude or alter any terms of, a lease to continue to locate a
9 mobile home or manufactured home in the park community solely or in any part on
10 the basis of the age of the mobile home or manufactured home.

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

15 **SECTION 157.** 710.15 (4) of the statutes is amended to read:

16 710.15 (4) PROHIBITED CONSIDERATION OF CHANGE IN OWNERSHIP OR OCCUPANCY OF
17 MOBILE HOME OR MANUFACTURED HOME. An operator may not require the removal of
18 a mobile home or manufactured home from a park community solely or in any part
19 because the ownership or occupancy of the mobile home or manufactured home has
20 changed or will change. An operator may refuse to enter into an initial lease with
21 a prospective resident or ~~mobile home~~ occupant for any other lawful reason.

22 **SECTION 158.** 710.15 (4m) of the statutes is amended to read:

23 710.15 (4m) NO INTEREST IN REAL ESTATE; SCREENING PERMITTED. Neither sub. (3)
24 (b) nor sub. (4) creates or extends any interest in real estate or prohibits the lawful
25 screening of prospective residents and ~~mobile home~~ occupants by an operator.

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

2 710.15 (5m) TERMINATION OF TENANCY OR NONRENEWAL OF LEASE. (intro.)

3 Notwithstanding ss. 704.17 and 704.19, the tenancy of a resident or ~~mobile home~~
4 occupant in a ~~park~~ community may not be terminated, nor may the renewal of the
5 lease be denied by the ~~park~~ community operator, except upon any of the following
6 grounds:

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

8 710.15 (5m) (a) Failure to pay rent due, or failure to pay taxes or any other
9 charges due for which the ~~park~~ community owner or operator may be liable.

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

11 710.15 (5m) (e) Violation of ~~park~~ community rules that endangers the health
12 or safety of others or disrupts the right to the peaceful enjoyment and use of the
13 premises by others, after written notice to cease the violation has been delivered to
14 the resident or ~~mobile home~~ occupant.

15 **SECTION 162.** 710.15 (5m) (em) of the statutes is amended to read:

16 710.15 (5m) (em) Violation of federal, state or local laws, rules or ordinances
17 relating to mobile homes or manufactured homes after written notice to cease the
18 violation has been delivered to the resident or ~~mobile home~~ occupant.

19 **SECTION 163.** 710.15 (5m) (f) of the statutes is amended to read:

20 710.15 (5m) (f) The ~~park~~ community owner or operator seeks to retire the ~~park~~
21 community permanently from the rental housing market.

22 **SECTION 164.** 710.15 (5m) (g) of the statutes is amended to read:

23 710.15 (5m) (g) The ~~park~~ community owner or operator is required to
24 discontinue use of the ~~park~~ community for the purpose rented as a result of action
25 taken against the ~~park~~ community owner or operator by local or state building or

1 health authorities and it is necessary for the premises to be vacated to satisfy the
2 relief sought by the action.

3 **SECTION 165.** 710.15 (5m) (h) of the statutes is amended to read:

4 710.15 (5m) (h) The physical condition of the mobile home or manufactured
5 home presents a threat to the health or safety of its occupants or others in the park
6 community or, by its physical appearance, disrupts the right to the enjoyment and
7 use of the park community by others.

8 **SECTION 166.** 861.21 (1) (b) of the statutes is amended to read:

9 861.21 (1) (b) "Home" means any dwelling in which the decedent had an
10 interest and that at the time of the decedent's death the surviving spouse occupies
11 or intends to occupy. If there are several such dwellings, any one may be designated
12 by the surviving spouse. "Home" includes a house, a mobile home, a manufactured
13 home, a duplex or multiple apartment building one unit of which is occupied by the
14 surviving spouse and a building used in part for a dwelling and in part for commercial
15 or business purposes. "Home" includes all of the surrounding land, unless the court
16 sets off part of the land as severable from the remaining land under sub. (5).

17 **SECTION 167.** 941.20 (1) (d) of the statutes is amended to read:

18 941.20 (1) (d) While on the lands of another discharges a firearm within 100
19 yards of any building devoted to human occupancy situated on and attached to the
20 lands of another without the express permission of the owner or occupant of the
21 building. "Building" as used in this paragraph ~~includes any house trailer or mobile~~
22 ~~home but~~ does not include any tent, bus, truck, vehicle or similar portable unit.

23 **SECTION 168.** 990.01 (14) of the statutes is amended to read:

24 990.01 (14) HOMESTEAD EXEMPTION. "Exempt homestead" means the dwelling,
25 including a building, condominium, mobile home, manufactured home, house trailer

1 or cooperative or an unincorporated cooperative association, and so much of the land
2 surrounding it as is reasonably necessary for its use as a home, but not less than 0.25
3 acre, if available, and not exceeding 40 acres, within the limitation as to value under
4 s. 815.20, except as to liens attaching or rights of devisees or heirs of persons dying
5 before the effective date of any increase of that limitation as to value.

6 **SECTION 169. Effective date.**

7 (1) This act takes effect on the first January 1 beginning after publication.

8 (END)



DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBs0049/1dn
JK&RNK:lmk:nwn

✓
Senator Lassa:

This draft incorporates the changes recommended by DOR in the e-mail from Sherrie Gates-Hendrix, dated March 28, 2007. ✓

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**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBs0049/1dn

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March 29, 2007

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