

2007 SENATE BILL 316

November 9, 2007 – Introduced by LAW REVISION COMMITTEE. Referred to Committee on Ethics Reform and Government Operations.

1 **AN ACT** *to amend* 101.127 of the statutes; **relating to:** the residential facilities
2 council (suggested as remedial legislation by the Department of Commerce).

Analysis by the Legislative Reference Bureau

Under current law, the Department of Commerce (Commerce) is required to develop a building code for buildings converted to be used as community-based residential facilities. Current law states that Commerce is required to consult with the Residential Facilities Council in developing the code. This bill deletes this provision since the council is no longer in existence.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Department of Commerce and introduced by the Law Revision Committee under s. 13.83 (1) (c) 1. and 5., as a result of the Revisor of Statutes' case and opinion review under s. 13.93 (2) (d), stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

3 **SECTION 1.** 101.127 of the statutes is amended to read:

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1 **101.127 Building requirements for certain residential facilities.** The
2 department, after consultation with the department of health and family services,
3 shall develop a building code for previously constructed buildings converted to use
4 as community-based residential facilities as defined in s. 50.01 (1g) which serve
5 between 9 and 20 residents who are not related to the operator or administrator. In
6 setting standards, the department shall consider the criteria enumerated in ss. 46.03
7 (25) and 50.02 (3) (b), and in addition shall consider the relationship of the
8 development and enforcement of the code to any relevant codes of the department of
9 health and family services. The objectives of the code shall be to guarantee health
10 and safety and to maintain insofar as possible a homelike environment. ~~The~~
11 ~~department shall consult with the residential facilities council in developing the~~
12 ~~code.~~ Notwithstanding s. 101.121, a historic building as defined in s. 101.121 (2) (am)
13 which is converted to use as a community-based residential facility serving between
14 9 and 20 residents who are not related to the operator or administrator is governed
15 only by the building code promulgated under this section.

NOTE: The residential facilities council was created by ch. 413, laws of 1975, SEC. 16m. The council was directed to advise the department of industry, labor and human relations on the promulgation of the residential facilities building code, which was required under ch. 413. Chapter 413 provided that the council disband upon promulgation of the code. According to the Department of Commerce, the council disbanded in approximately 1979.

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(END)