



State of Wisconsin
2015 – 2016 LEGISLATURE

LRBs0237/1
MDK:kjf&amn

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 458**

January 13, 2016 – Offered by Senator OLSEN.

1 **AN ACT to renumber and amend** 101.63 (7); **to amend** 101.65 (3); and **to create**
2 101.63 (7) (b) and 101.63 (7m) of the statutes; **relating to:** information required
3 on building permit forms, requiring the establishment of an electronic system
4 for building permits, and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This substitute amendment requires the Department of Safety and Professional Services to establish by rule an electronic processing system for building permits for new one-family and two-family dwellings. Current law allows cities, villages, towns, and counties (municipal authorities) to enact ordinances regarding the construction of such dwellings. However, an ordinance must meet the requirements of the one-family and two-family dwelling code adopted by DSPS. Current law requires DSPS to prescribe and furnish to municipal authorities a standard building permit form for such dwellings.

The substitute amendment requires DSPS, by January 1, 2017, to furnish in electronic format to municipal authorities the standard building permit form. Also, by that same date, the substitute amendment requires DSPS to establish by rule a system that allows a person to electronically submit to a municipal authority an application for a building permit for a new one-family or two-family dwelling. DSPS's rule must prescribe a standard application form to be used by applicants,

except that DSPS may approve a municipal authority's use of a different form. Also, the system established by DSPS must allow a municipal authority to electronically issue building permits to applicants and electronically submit copies of issued permits to DSPS. A municipal authority must use the standard building permit form prescribed by DSPS, unless DSPS allows the municipal authority to use a different form. The substitute amendment requires a municipal authority to begin implementation of the system no later than January 2, 2018.

Beginning on the date that a municipal authority begins implementation of the system described above, the municipal authority must electronically submit to DSPS copies of the permits the municipal authority issues. A copy must be submitted no later than the 15th day of the first month beginning after issuance of a permit. In addition, if a municipal authority fails to submit a copy by the last day of that month, the municipal authority must provide a refund to the permittee. The amount of the refund must equal the difference between the following: 1) the amount the permittee paid the municipal authority for the permit; and 2) the portion of the permit fee that the municipal authority remitted to DSPS, if any.

Finally, current law prohibits a person from obtaining a building permit for a new one-family or two-family dwelling unless DSPS has issued a certificate of financial responsibility to the person. The substitute amendment requires DSPS to include in its standard building permit form a space for a municipal authority to insert the name of the person to whom the building permit is issued, as well as the number and expiration date of the certificate of financial responsibility that DSPS issued to the person.

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

1 **SECTION 1.** 101.63 (7) of the statutes is renumbered 101.63 (7) (intro.) and
2 amended to read:

3 101.63 (7) (intro.) Prescribe and furnish to municipal authorities a standard
4 building permit form for all new one- and 2-family dwellings. On or before January
5 2, 2017, the department shall furnish to municipal authorities the standard building
6 permit form prescribed under this subsection in electronic form. The standard
7 permit form shall include ~~a~~ all of the following:

8 (a) A space in which the municipal authority issuing the permit shall insert the
9 name and license number of the master plumber engaged in supervising the

1 installation of plumbing or installing the plumbing at a new one- or 2-family
2 dwelling.

3 **SECTION 2.** 101.63 (7) (b) of the statutes is created to read:

4 101.63 (7) (b) A space in which the municipal authority issuing the permit shall
5 insert the name of the person to whom the building permit is issued and the number
6 and expiration date of the certificate of financial responsibility issued to that person
7 under s. 101.654.

8 **SECTION 3.** 101.63 (7m) of the statutes is created to read:

9 101.63 (7m) On or before January 2, 2017, establish by rule a system through
10 which a person may electronically submit an application to a municipal authority for
11 a building permit, through which the person may be issued the building permit in
12 electronic form from the municipal authority, and through which the municipal
13 authority may submit copies of issued building permits to the department. The rule
14 shall prescribe a standard building permit application form that shall be furnished
15 to all municipal authorities and used by all applicants for building permits for new
16 one- and 2-family dwellings, except that the department may approve a municipal
17 authority's use of a different application form. The rule shall require a municipal
18 authority to use the standard building permit form prescribed under sub. (7), unless
19 the department approves a municipal authority's use of a different form. A
20 municipal authority shall begin implementation of the system established under this
21 subsection no later than January 2, 2018.

22 **SECTION 3r.** 101.65 (3) of the statutes is amended to read:

23 101.65 (3) Shall use the standard building permit form prescribed and
24 furnished by the department and.

