2015 SENATE BILL 458


AN ACT to renumber and amend 101.63 (7); to amend 20.165 (2) (j); and to create 101.63 (7) (b) and 101.652 of the statutes; relating to: information required on building permit forms and reporting requirements for municipalities that issue building permits.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Safety and Professional Services (DSPS) administers various laws, including building codes, that promote safety in public and private buildings and in the subsystems of those buildings. To that end, DSPS issues various licenses, permits, registrations, and other credentials (credentials) to persons engaged in the construction trades such as electricians and plumbers.

Current law also provides that DSPS must prescribe and furnish to political subdivisions a standard building permit form for all new one-family and two-family dwellings. Current law provides that a person may not obtain a building permit without a certificate of financial responsibility from DSPS. To obtain that certificate, the person must show that he or she has complied with continuing education requirements and has provided proof that he or she has in force a required bond or policy of general liability insurance.

This bill specifies that the building permit form must include a space in which the municipal authority issuing the permit must insert the name of the person to whom the building permit is issued and the number and expiration date of the certificate of financial responsibility issued by DSPS to that person. The bill also requires cities, villages, towns, and counties (political subdivisions) to provide an
SENATE BILL 458

annual report to DSPS that contains the name of each person to whom the political subdivision issued a building permit for the construction of a one-family or two-family dwelling and the number and expiration date of each current credential issued by DSPS to that person. A political subdivision that does not provide the report must refund to each person to whom a building permit was issued, an amount equal to the difference between the amount paid by that person to the political subdivision for that permit and the portion of the permit fee remitted by the political subdivision to the department, if any.

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

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

**SECTION 1.** 20.165 (2) (j) of the statutes is amended to read:

20.165 (2) (j) Safety and building operations. The amounts in the schedule for the purposes of chs. 101 and 145 and ss. 167.35, 236.12 (2) (ap), 236.13 (1) (d) and (2m), and 236.335, for the purpose of transferring the amounts in the schedule under par. (kg) to the appropriation account under par. (kg), and for the purpose of transferring the amounts in the schedule under par. (km) to the appropriation account under par. (km). All moneys received under ch. 145, ss. 101.178, 101.19, 101.63 (9), 101.652 (2) (b), 101.654 (3), 101.73 (12), 101.82 (4), 101.955 (2), 101.973 (7), 167.35 (2) (f), and 236.12 (7) and all moneys transferred under 2005 Wisconsin Act 45, section 76 (6), shall be credited to this appropriation account.

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

101.63 (7) (intro.) Prescribe and furnish to municipalities a standard building permit form for all new one– and 2–family dwellings. The standard permit form shall include all of the following:

(a) A space in which the municipal authority issuing the permit shall insert the name and license number of the master plumber engaged in supervising the
installation of plumbing or installing the plumbing at a new one- or 2-family dwelling.

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

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

SECTION 4. 101.652 of the statutes is created to read:

101.652 Annual report requirement. (1) In this section:

(a) “Contractor credential” means a license, permit, certificate, or registration issued by the department to an individual under this chapter or ch. 145 that authorizes the individual to engage in construction work on or in a one- or 2- family dwelling, including renovation, improvement, remodeling, installation, alteration, repair, or demolition.

(b) “Political subdivision” means a city, village, town, or county.

(2) (a) Each political subdivision shall provide an annual report to the department, on or before January 1, that contains the name of each person to whom the political subdivision issued a building permit for the construction of a one- or 2- family dwelling in the previous year. The report shall include the number and expiration date of each current contractor credential held by that person.

(b) If a political subdivision does not provide an annual report to the department by the date required under par. (a), the department shall notify the political subdivision in writing that it has not received the report. If the political subdivision does not provide the report to the department within 30 business days from the date on which the department provides notice under this paragraph, the
political subdivision shall make reasonable efforts to notify each person to whom a
building permit was issued in the previous year that it did not provide the required
report to the department. The political subdivision shall refund to each person to
whom a building permit was issued, an amount equal to the difference between the
amount paid by that person to the political subdivision for that permit and the
portion of the permit fee remitted by the political subdivision to the department, if
any.

SECTION 5. Effective date.

(1) This act takes effect on the first day of the 9th month beginning after
publication.