AN ACT to amend 101.63 (1) (intro.) and 101.73 (1); and to create 101.02 (15m) of the statutes; relating to: the use of radon-resistant construction materials and techniques in new construction of public buildings, places of employment, one-family and two-family dwellings, and modular homes and requiring the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Safety and Professional Services promulgates rules that establish standards for all of the following:

1. The design, construction, maintenance, and inspection of public buildings and places of employment, commonly called the “commercial building code.”
2. The construction and inspection of one-family and two-family dwellings, commonly called the “uniform dwelling code.”
3. The use of building materials, methods, and equipment in the manufacture and installation of modular homes for use as dwellings or dwelling units.

This bill requires DSPS, in promulgating those rules, to require the use of radon-resistant construction materials and techniques in new construction of public buildings, places of employment, one-family and two-family dwellings, and modular homes.
For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 101.02 (15m) of the statutes is created to read:

101.02 (15m) In promulgating the commercial building code, the department shall require the use of radon-resistant construction materials and techniques in new construction of public buildings and places of employment.

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

101.63 (1) (intro.) Adopt Promulgate rules which that establish standards for the construction and inspection of one-family and 2-family dwellings and their components thereof. The rules shall include separate standards, established in consultation with the uniform dwelling code council, that apply only to the construction and inspection of camping units that are set in a fixed location in a campground for which a permit is issued under s. 97.67, that contain a sleeping place, and that are used for seasonal overnight camping. Where feasible, the standards used shall be those nationally recognized and shall apply to the dwelling and to its electrical, heating, ventilating, air conditioning, and other systems, including plumbing, as defined in s. 145.01 (10). No set of The rules may be adopted which has not taken shall take into account the conservation of energy in construction and maintenance of dwellings and the costs of specific code provisions to home buyers in relationship to the benefits derived from the provisions. The rules shall require the use of radon-resistant construction materials and techniques in new construction of dwellings. Rules promulgated under this subsection do not apply...
to a bed and breakfast establishment, as defined under s. 97.01 (1g), except that the rules apply to all of the following:

SECTION 3. 101.73 (1) of the statutes is amended to read:

101.73 (1) **Adopt Promulgate** rules **which** that establish standards for the use of building materials, methods, and equipment in the manufacture and installation of modular homes for use as dwellings or dwelling units. Where feasible, the standards used shall be those nationally recognized and shall apply to the dwelling and to its electrical, heating, ventilating, air conditioning, and other systems. Such rules shall take into account the conservation of energy in construction and maintenance of dwellings and the costs to home buyers of specific code provisions in relation to the benefits derived from the provisions. The rules shall require the use of radon-resistant construction materials and techniques in new construction of modular homes.