2021 ASSEMBLY BILL 1126

March 10, 2022 - Introduced by Representatives Sinicki, Neubauer, Haywood, Spreitzer, Ohnstad, Shankland, Bowen, Doyle, Shelton, Andraca, Drake, Emerson, Snodgrass, Cabrera, Stubbs, Pope, Hong, Conley, Subeck, Vruwink, Milroy and Hebl, cosponsored by Senators Wirch, Ringhand, Johnson, Bewley, Agard, Erpenbach, Carpenter, Roys and Larson. Referred to Committee on Rules.

AN ACT to repeal 101.1472; and to create 101.147 and 101.19 (1g) (m) of the statutes; relating to: construction contractor registration and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires most persons who hold themselves out or act as a construction contractor to be registered by the Department of Safety and Professional Services. DSPS may directly assess a forfeiture by issuing an order against any person who fails to register as required under the bill. The registration requirement does not apply to a person who engages in construction on his or her own property, to a state agency or local governmental unit, or to a person who engages in construction in the course of his or her employment by a state agency or local governmental unit.

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. 101.147 of the statutes is created to read:

101.147 Construction contractor registration. (1) (a) Except as provided in par. (b), no person may hold himself or herself out or act as a construction
contractor unless that person is registered as a construction contractor by the
department.

(b) The registration requirement under par. (a) does not apply to any of the
following:

1. A person who engages in construction on property owned or leased by that
person.

2. A state agency or local governmental unit.

3. A person who engages in construction in the course of his or her employment
by a state agency or local governmental unit.

(2) An application for a registration under this section shall require the
applicant to submit all of the following:

(a) The applicant’s name, contact information, and physical address for the
business principal.

(b) If the applicant is a corporation, limited liability company, limited
partnership, or limited liability partnership and is not organized under ch. 178, 179,
180, 181, or 183, evidence that the applicant is registered, or has obtained a
certificate of authority or registration, to transact business in this state under s.
178.1003, 179.87, 180.1503, 181.1503, or 183.1004, as applicable.

(c) Evidence of compliance with the requirements under ss. 108.17 to 108.205.

(d) Evidence of compliance with s. 102.28 (2).

(e) An acknowledgment of worker classification laws and penalties to ensure
that registered construction contractors are aware of their obligations.

(3) The department may directly assess a forfeiture by issuing an order against
any person who violates this section.
(4) The department shall, with the advice of the department of workforce development, promulgate rules to administer and enforce this section.

SECTION 2. 101.1472 of the statutes is repealed.

SECTION 3. 101.19 (1g) (m) of the statutes is created to read:

101.19 (1g) (m) Registering construction contractors under s. 101.147.

(END)