



## 2021 SENATE BILL 167

March 3, 2021 - Introduced by Senators ROTH, STROEBEL, COWLES, DARLING, JACQUE and KOOYENGA, cosponsored by Representatives J. RODRIGUEZ, DITTRICH, BORN, ARMSTRONG, DALLMAN, JAMES, KITCHENS, KUGLITSCH, MACCO, MAGNAFICI, MURPHY, ROZAR, SKOWRONSKI, SPIROS, SUMMERFIELD, TAUCHEN, TITTL, TRANEL, VORPAGEL, WICHGERS, WITTKE, ZIMMERMAN and SCHRAA. Referred to Committee on Labor and Regulatory Reform.

1     **AN ACT to amend** 101.12 (1) (intro.), 101.12 (2) and 101.19 (1g) (a); and **to create**  
2             101.12 (2m) and 145.02 (5) (c) of the statutes; **relating to:** examination of  
3             building plans for public buildings, public structures, and places of  
4             employment, and examination of plumbing plans.

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### *Analysis by the Legislative Reference Bureau*

This bill creates an exemption from the examination requirement for certain building plans and plumbing plans and modifies other aspects of the building plan review process.

Under current law, essential drawings, calculations, and specifications (building plans) for public buildings, public structures, and places of employment (commercial buildings) and plumbing plans and specifications (plumbing plans) for plumbing installations, additions, or alterations (plumbing systems) must be examined for compliance with the rules promulgated by the Department of Safety and Professional Services.

The bill creates an exception from building plan examination requirements. Under the bill, DSPS may not require the submission or examination of building plans for a commercial building that 1) is a single story containing less than 200,000 cubic feet of volume; 2) is not classified by DSPS as intended for certain occupancies and uses, including high hazard uses and educational uses; and 3) a registered architect, registered professional engineer, or designer permit holder prepares and signs, dates, and seals or stamps the building plans.

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The bill also creates a similar exception for plumbing plan examination requirements. Under the bill, DSPS may not require the examination of plumbing plans for a plumbing system that 1) involves no more than 25 plumbing fixtures; 2) is in connection with a building or structure that is not classified by DSPS as intended for certain occupancies and uses, including high hazard uses and educational uses; and 3) a registered architect, registered professional engineer, or designer permit holder prepares and signs, dates, and seals or stamps, or a licensed master plumber, licensed master plumber (restricted), or utility contractor signs and dates, the plumbing plans.

Under current law, DSPS must fix and collect fees that, as closely as possible, equal the cost of examining building plans. The bill provides that 50 percent of building plan examination fees must be submitted as a nonrefundable deposit at the time an appointment for examination of building plans is scheduled.

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

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

1           **SECTION 1.** 101.12 (1) (intro.) of the statutes is amended to read:

2           101.12 (1) (intro.) Except for plans that are reviewed by the department of  
3 health services under s. 50.02 (2) (b), 50.025, 50.36 (2), or 50.92 (3m) and except as  
4 provided under sub. (2m), the department shall require the submission of essential  
5 drawings, calculations, and specifications for public buildings, public structures, and  
6 places of employment including the following components:

7           **SECTION 2.** 101.12 (2) of the statutes is amended to read:

8           101.12 (2) ~~Plans of said~~ Except as provided under sub. (2m), essential  
9 drawings, calculations, and specifications for public buildings, public structures,  
10 places of employment, and components described under sub. (1) shall be examined  
11 for compliance with the rules of the department and a statement of the examination  
12 returned to the designer and owner before construction is started. Nothing in this  
13 section ~~shall relieve~~ relieves the designer of the responsibility for designing a safe  
14 building, structure, or component.

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1           **SECTION 3.** 101.12 (2m) of the statutes is created to read:

2           101.12 **(2m)** The department may not require the submission or examination  
3 of essential drawings, calculations, and specifications for a public building, public  
4 structure, or place of employment to which all of the following apply:

5           (a) The public building, structure, or place of employment is a single-story  
6 building or structure containing less than 200,000 cubic feet of volume.

7           (b) No portion of the public building, structure, or place of employment is  
8 classified by the department, under rules promulgated by the department, into any  
9 of the following occupancy groups:

- 10           1. Assembly Group A.
- 11           2. Educational Group E.
- 12           3. High hazard Group H.
- 13           4. Institutional Group I.
- 14           5. Residential Group R.

15           (c) The essential drawings, calculations, and specifications are prepared by a  
16 person who is registered as an architect or professional engineer under ch. 443 or who  
17 holds a designer permit under s. 443.07, and that person signs, dates, and seals or  
18 stamps the essential drawings, calculations, and specifications.

19           **SECTION 4.** 101.19 (1g) (a) of the statutes is amended to read:

20           101.19 **(1g)** (a) The examination of plans for public buildings, public structures,  
21 places of employment, and the components thereof. The department shall require  
22 that 50 percent of plan examination fees be submitted as a nonrefundable deposit at  
23 the time an appointment for examination of plans is scheduled.

24           **SECTION 5.** 145.02 (5) (c) of the statutes is created to read:

**SENATE BILL 167****SECTION 5**

1           145.02 (5) (c) The department may not require examination of plumbing plans  
2 and specifications for a plumbing installation, addition, or alteration to which all of  
3 the following apply:

4           1. The plumbing installation, addition, or alteration involves no more than 25  
5 plumbing fixtures.

6           2. No portion of the building or structure with which the plumbing installation,  
7 addition, or alteration is connected is classified by the department, under rules  
8 promulgated by the department, into any of the following occupancy groups:

9           a. Assembly Group A.

10          b. Educational Group E.

11          c. High hazard Group H.

12          d. Institutional Group I.

13          e. Residential Group R.

14          3. The plumbing plans and specifications are prepared by any of the following:

15          a. A person who is registered as an architect or professional engineer under ch.  
16 443 and who signs, dates, and seals or stamps the plumbing plans and specifications.

17          b. A person who holds a designer permit under s. 443.07 in the field of plumbing  
18 systems and who signs, dates, and seals or stamps the plumbing plans and  
19 specifications.

20          c. A licensed master plumber, licensed master plumber (restricted), or utility  
21 contractor who signs and dates the plumbing plans and specifications.

22           **SECTION 6. Initial applicability.**

23           (1) The treatment of s. 101.12 (1) (intro.), (2), and (2m) first applies to essential  
24 drawings, calculations, and specifications submitted for examination under s. 101.12  
25 on the effective date of this subsection.

