



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1995 ASSEMBLY BILL 629**

February 15, 1996 – Offered by Representative GROTHMAN.

1 **AN ACT to repeal** 106.04 (2r) (d) and 106.04 (2r) (g) 3.; and **to amend** 106.04 (2r)
2 (a) 4. a., 106.04 (2r) (a) 4. b., 106.04 (2r) (c) 1., 106.04 (2r) (c) 4., 106.04 (2r) (e)
3 1. and 106.04 (2r) (e) 2. of the statutes; **relating to:** accessibility to multifamily
4 housing and granting rule-making authority.

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

5 **SECTION 1.** 106.04 (2r) (a) 4. a. of the statutes, as affected by 1995 Wisconsin
6 Act 27, is amended to read:

7 106.04 (2r) (a) 4. a. Housing that is first ready for occupancy on or after October
8 1, 1993, consisting of ~~3~~ 4 or more dwelling units if the housing has one or more
9 elevators.

10 **SECTION 2.** 106.04 (2r) (a) 4. b. of the statutes is amended to read:

11 106.04 (2r) (a) 4. b. Grade-level dwelling units, in housing without elevators,
12 that are first ready for occupancy on or after October 1, 1993, consisting of ~~3~~ 4 or more
13 dwelling units.

1 **SECTION 3.** 106.04 (2r) (c) 1. of the statutes, as affected by 1995 Wisconsin Act
2 27, is amended to read:

3 106.04 **(2r)** (c) 1. There is at least one accessible entrance for each building and
4 that entrance is on an accessible route. ~~All other entrances that are at grade level~~
5 ~~shall be accessible to the greatest extent feasible. The department shall promulgate~~
6 ~~rules that define “to the greatest extent feasible” to ensure maximum accessibility~~
7 ~~in a way that is not disproportionate to the entire project’s cost and scope. If the~~
8 covered multifamily housing units are at grade level and are served by separate
9 entrances, each unit shall be on an accessible route. If the units have a minimum
10 number of required exits, as determined by rules that shall be promulgated by the
11 department, all required grade-level exits shall be accessible.

12 **SECTION 4.** 106.04 (2r) (c) 4. of the statutes, as affected by 1995 Wisconsin Act
13 27, is amended to read:

14 106.04 **(2r)** (c) 4. Light switches, electrical outlets, circuit controls, thermostats
15 and other environmental controls are all located in accessible locations;
16 reinforcements in bathroom walls are installed to allow later installation of grab bars
17 around the toilet, tub, shower stall and shower seat, when such facilities are
18 provided; kitchens and bathrooms allow an individual in a wheelchair to maneuver
19 about the space; and, upon the request of a renter and ~~without cost to a~~ at the expense
20 of the renter, if the expense does not exceed market rates, lever door handles are on
21 all doors and single lever controls, or other controls that are approved by the
22 department by rule, are on all plumbing fixtures used by residents.

23 **SECTION 5.** 106.04 (2r) (d) of the statutes, as is affected by 1995 Wisconsin Act
24 27, is repealed.

1 **SECTION 6.** 106.04 (2r) (e) 1. of the statutes, as affected by 1995 Wisconsin Act
2 27, is amended to read:

3 106.04 **(2r)** (e) 1. Plans and specifications for all covered multifamily housing
4 subject to par. (c) and ~~proposed remodeling subject to par. (d)~~ shall be submitted to
5 the department or its authorized representative for examination and approval before
6 commencing work. The department shall promulgate rules that specify the
7 materials to be included in the submittal, the procedures to be followed upon receipt
8 of a submittal, reasonable time limitations for reviewing submittals and issuing or
9 denying permits and qualifications for authorized representatives. Rules
10 promulgated under this subdivision shall establish procedures by which permit
11 applications may be approved during the initial review process despite
12 nonconformance with par. (c) 1., if conformance would be impractical due to site
13 terrain or other considerations.

14 **SECTION 7.** 106.04 (2r) (e) 2. of the statutes, as affected by 1995 Wisconsin Act
15 27, is amended to read:

16 106.04 **(2r)** (e) 2. The department may grant a variance from the requirements
17 relating to exterior accessibility under par. (c) 1. ~~or (d)~~, or from administrative rules
18 promulgated under sub. (1s), if the person designing, or constructing ~~or remodeling~~
19 the housing shows that meeting those requirements is impractical because of the
20 terrain or unusual characteristics of the site. The department shall use a slope
21 analysis of the undisturbed site for covered multifamily housing under par. (c) ~~or the~~
22 ~~existing site for remodeling under par. (d)~~ to determine the minimum number of
23 accessible entrances at each site, with a minimum goal of exterior accessibility of
24 ~~50%~~ 20% of the dwelling units of covered multifamily housing at one site. The
25 department may impose specific conditions in granting a variance to promote

1 exterior accessibility of the housing to persons with disabilities. If the department
2 finds that exterior accessibility is impractical as to all dwelling units at a site, it may
3 grant a waiver from the requirements under par. (c) 1. ~~or (d).~~

4 **SECTION 8.** 106.04 (2r) (g) 3. of the statutes, as affected by 1995 Wisconsin Act
5 27, is repealed.

6 **SECTION 9. Effective date.**

7 (1) This act takes effect on July 1, 1996, or on the day after publication,
8 whichever is later.

9 **(END)**