



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBs0222/1
DAK:wlj:hmh

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 606**

January 11, 2000 - Offered by COMMITTEE ON TOURISM AND RECREATION.

1 **AN ACT to renumber and amend** 101.63 (1) and 254.61 (1) (f); **to amend** 101.05
2 (2) and 101.63 (1m); and **to create** 101.63 (1) (a) and (b) and 254.61 (1) (f) 2. of
3 the statutes; **relating to:** expanding the definition of “bed and breakfast
4 establishment” and clarifying the application of the uniform dwelling code
5 requirements to bed and breakfast establishments.

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

6 **SECTION 1.** 101.05 (2) of the statutes is amended to read:
7 101.05 (2) A bed and breakfast establishment, as defined under s. 254.61 (1),
8 is not subject to ~~rules on residential occupancy or to other building codes adopted by~~
9 the department under this subchapter, ~~except that the uniform dwelling code~~
10 ~~adopted in rules promulgated under s. 101.63 (1) applies to the 3rd floor level of a bed~~
11 ~~and breakfast establishment that uses, other than as storage, the 3rd floor level of~~
12 ~~the bed and breakfast establishment structure.~~

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

3 101.63 (1) (intro.) Adopt rules which establish standards for the construction
4 and inspection of one- and 2-family dwellings and components thereof. Where
5 feasible, the standards used shall be those nationally recognized and shall apply to
6 the dwelling and to its electrical, heating, ventilating, air conditioning and other
7 systems, including plumbing, as defined in s. 145.01 (10). No set of rules may be
8 adopted which has not taken into account the conservation of energy in construction
9 and maintenance of dwellings and the costs of specific code provisions to home buyers
10 in relationship to the benefits derived from the provisions. Rules promulgated under
11 this subsection do not apply to a bed and breakfast establishment, as defined under
12 s. 254.61 (1), except that the rules apply to all of the following:

13 **SECTION 3.** 101.63 (1) (a) and (b) of the statutes are created to read:

14 101.63 (1) (a) The 3rd floor level of a bed and breakfast establishment that uses
15 that level other than as storage.

16 (b) A structural addition that is specified under s. 254.61 (1) (f) 2.

17 **SECTION 4.** 101.63 (1m) of the statutes is amended to read:

18 101.63 (1m) Adopt a rule which requires any one- and 2-family dwelling which
19 uses electricity for space heating to be superinsulated. A rule promulgated under
20 this subsection does not apply to a bed and breakfast establishment, as defined under
21 s. 254.61 (1), except as specified under sub. (1) (a) and (b).

22 **SECTION 5.** 254.61 (1) (f) of the statutes is renumbered 254.61 (1) (f) (intro.) and
23 amended to read:

1 254.61 (1) (f) (intro.) Has had completed, before May 11, 1990, any structural
2 additions to the dimensions of the original structure, including by renovation, except
3 that a this limit does not apply to any of the following:

4 1. A structural addition, including a renovation, made to the a structure may,
5 after May 11, 1990, ~~be made~~ within the dimensions of the original structure.

6 **SECTION 6.** 254.61 (1) (f) 2. of the statutes is created to read:

7 254.61 (1) (f) 2. A structural addition, made to a structure that was originally
8 constructed at least 50 years before an initial or renewal application for a permit
9 under s. 254.64 (1) (b) is made and for which no use other than as a bed and breakfast
10 establishment is proposed. The structural addition under this subdivision shall
11 comply with the rules under s. 101.63 (1) and (1m).

12 **(END)**