



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-0602/P5  
SWB/TJD/RCT:eev&jld:jf

DOA:.....Byrnes, BB0213 - Transfer food safety and recreational license regulation authority from DHS to DATCP

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

AN ACT ...; **relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**HEALTH AND HUMAN SERVICES**

**OTHER HEALTH AND HUMAN SERVICES**

The bill transfers oversight of restaurants, lodging, and recreation from DHS, which currently regulates those areas, to DATCP.

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:*

**SECTION 1.** 20.115 (1) (gb) of the statutes is amended to read:

20.115 (1) (gb) *Food regulation, lodging, and recreation.* The amounts in the schedule for the regulation of food, lodging, and recreation under chs. 93, 97 and 98.

All moneys received under ss. 93.06 (1r) and (1w), 93.09, 93.11, 93.12, 97.17, 97.175,

**SECTION 1**

97.20, 97.21, 97.22, 97.24, 97.27, 97.29, 97.30 (3) (a), (b) and (c), 97.41, 97.60 to 97.653, 97.67, 98.145 and 98.146 for the regulation of food, lodging, and recreation shall be credited to this appropriation.

**SECTION 2.** 20.435 (1) (gm) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

20.435 (1) (gm) *Licensing, review and certifying activities; fees; supplies and services.* The amounts in the schedule for the purposes specified in ss. 253.12, 254.176, 254.178, 254.179, 254.20 (5) and (8), 254.31 to 254.39, 254.41, ~~254.47, 254.61 to 254.88~~, 255.08 (2), and 256.15 (8), ch. 69, for the purchase and distribution of medical supplies, and to analyze and provide data under s. 250.04. All moneys received under ss. 250.04 (3m), 254.176, 254.178, 254.181, 254.20 (5) and (8), 254.31 to 254.39, 254.41, ~~254.47, 254.61 to 254.88~~, 255.08 (2) (b), and 256.15 (5) (f) and (8) (d) and ch. 69, other than s. 69.22 (1m), and as reimbursement for medical supplies shall be credited to this appropriation account.

\*\*\*\*NOTE: This is reconciled s. 20.435 (1) (gm). This SECTION has been affected by drafts with the following LRB numbers: -602/P3 and -0807/P5.

**SECTION 3.** 29.541 (1) (a) (intro.) of the statutes is amended to read:

29.541 (1) (a) (intro.) Except as authorized under s. 29.934 (2) or ~~254.715 97.305~~, no innkeeper, manager or steward of any restaurant, club, hotel, boarding house, tavern, logging camp or mining camp may sell, barter, serve or give, or cause to be sold, bartered, served or given, to its guests or boarders any of the following:

**SECTION 4.** 45.44 (1) (a) 14. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

45.44 (1) (a) 14. A license, certification, certification card, or permit issued under s. ~~ss. 97.33, 254.176, 254.178, 254.20, 254.71, and 256.15.~~

\*\*\*NOTE: This is reconciled s. 45.44 (1) (a) 14. This SECTION has been affected by drafts with the following LRB numbers: -0602/P3 and -0807/P5.

**SECTION 5.** 49.857 (1) (d) 4. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

49.857 (1) (d) 4. A certification, license, training permit, registration, approval or certificate issued under s. 49.45 (2) (a) 11., 97.33, 97.605 (1) (a) or (b), 97.67 (1), 254.176 (1) or (3) (a), 254.178 (2) (a), 254.20 (2), (3) or (4), 254.47 (1), 254.64 (1) (a) or (b), 254.71 (2), or 256.15 (5) (a) or (b), (6g) (a), or (8) (a).

\*\*\*NOTE: This is reconciled s. 49.857 (1) (d) 4. This SECTION has been affected by drafts with the following LRB numbers: -0602/P3 and -0807/P5.

**SECTION 6.** 66.0417 (1) of the statutes is amended to read:

66.0417 (1) An employee or agent of a local health department designated by ~~the department of health services under s. 254.69 (2) or the department of agriculture, trade and consumer protection under s. 97.41 or 97.615 (2)~~ may enter, at reasonable hours, any premises for which the local health department issues a permit license under s. 97.41 or ~~254.69 (2)~~ 97.615 (2) to inspect the premises, secure samples or specimens, examine and copy relevant documents and records, or obtain photographic or other evidence needed to enforce ~~subch. VII of ch. 254, ch. 97 or s. 254.47,~~ relating to those premises. If samples of food are taken, the local health department shall pay or offer to pay the market value of those samples. The local health department, ~~department of health services or department of agriculture, trade and consumer protection~~ shall examine the samples and specimens secured and shall conduct other inspections and examinations needed to determine whether there is a violation of ~~subch. VII of ch. 254, ch. 97 or s. 254.47,~~ rules adopted by the ~~departments~~ department under those statutes, ordinances adopted by the village,

city or county or regulations adopted by the local board of health under s. 97.41 (7) or ~~254.69~~ 97.615.

**SECTION 7.** 66.0417 (2) of the statutes is amended to read:

66.0417 (2) (a) Whenever, as a result of an examination, a village, city or county has reasonable cause to believe that any examined food constitutes, or that any construction, sanitary condition, operation or method of operation of the premises or equipment used on the premises creates an immediate danger to health, the administrator of the village, city or county agency responsible for the village's, city's or county's agent functions under s. 97.41 or ~~254.69 (2)~~ 97.615 (2) may issue a temporary order and cause it to be delivered to the ~~permittee~~ licensee, or to the owner or custodian of the food, or to both. The order may prohibit the sale or movement of the food for any purpose, prohibit the continued operation or method of operation of specific equipment, require the premises to cease any other operation or method of operation which creates the immediate danger to health, or set forth any combination of these requirements. The administrator may order the cessation of all operations authorized by the ~~permit~~ license only if a more limited order does not remove the immediate danger to health. Except as provided in par. (c), no temporary order is effective for longer than 14 days from the time of its delivery, but a temporary order may be reissued for one additional 14-day period, if necessary to complete the analysis or examination of samples, specimens or other evidence.

(b) No food described in a temporary order issued and delivered under par. (a) may be sold or moved and no operation or method of operation prohibited by the temporary order may be resumed without the approval of the village, city or county, until the order has terminated or the time period specified in par. (a) has run out, whichever occurs first. If the village, city or county, upon completed analysis and

examination, determines that the food, construction, sanitary condition, operation or method of operation of the premises or equipment does not constitute an immediate danger to health, the ~~permittee~~ licensee, owner, or custodian of the food or premises shall be promptly notified in writing and the temporary order shall terminate upon his or her receipt of the written notice.

(c) If the analysis or examination shows that the food, construction, sanitary condition, operation or method of operation of the premises or equipment constitutes an immediate danger to health, the ~~permittee~~ licensee, owner, or custodian shall be notified within the effective period of the temporary order issued under par. (a). Upon receipt of the notice, the temporary order remains in effect until a final decision is issued under sub. (3), and no food described in the temporary order may be sold or moved and no operation or method of operation prohibited by the order may be resumed without the approval of the village, city or county.

**SECTION 8.** 66.0417 (3) of the statutes is amended to read:

66.0417 (3) A notice issued under sub. (2) (c) shall be accompanied by notice of a hearing as provided in s. 68.11 (1). The village, city or county shall hold a hearing no later than 15 days after the service of the notice, unless both parties agree to a later date. Notwithstanding s. 68.12, a final decision shall be issued under s. 68.12 within 10 days of the hearing. The decision may order the destruction of food, the diversion of food to uses which do not pose a danger to health, the modification of food so that it does not create a danger to health, changes to or replacement of equipment or construction, other changes in or cessations of any operation or method of operation of the equipment or premises, or any combination of these actions necessary to remove the danger to health. The decision may order the cessation of

all operations authorized by the ~~permit~~ license only if a more limited order will not remove the immediate danger to health.

**SECTION 9.** 66.0417 (4) of the statutes is amended to read:

66.0417 (4) A proceeding under this section, or the issuance of a ~~permit~~ license for the premises after notification of procedures under this section, does not constitute a waiver by the village, city or county of its authority to rely on a violation of ch. 97, ~~s. 254.47~~ or subch. VII of ch. 254 or any rule adopted under those statutes as the basis for any subsequent suspension or revocation of the ~~permit~~ license or any other enforcement action arising out of the violation.

**SECTION 10.** 66.0435 (9) of the statutes is amended to read:

66.0435 (9) MUNICIPALITIES; MONTHLY MUNICIPAL PERMIT FEES ON RECREATIONAL MOBILE HOMES AND RECREATIONAL VEHICLES. A licensing authority may assess monthly municipal permit fees at the rates under this section on recreational mobile homes and recreational vehicles, as defined in s. 340.01 (48r), except recreational mobile homes and recreational vehicles that are located in campgrounds licensed under s. ~~254.47~~ 97.67, recreational mobile homes that constitute improvements to real property under s. 70.043 (1), and recreational mobile homes or recreational vehicles that are located on land where the principal residence of the owner of the recreational mobile home or recreational vehicle is located, regardless of whether the recreational mobile home or recreational vehicle is occupied during all or part of any calendar year.

**SECTION 11.** 66.0436 (1) of the statutes is amended to read:

66.0436 (1) In this section, “restaurant” has the meaning given in s. ~~254.61~~ (5) 97.01 (14g).

**SECTION 12.** 66.0436 (2) of the statutes is amended to read:

66.0436 (2) No city, village, town, or county may enact an ordinance requiring a restaurant, a person who holds a permit license for a restaurant, or a person who conducts, maintains, manages, or operates a restaurant to satisfy a requirement related to the issuance or possession of a certificate of food protection practices that is not found under s. ~~254.71~~ 97.33.

**SECTION 13.** 73.0301 (1) (d) 3. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

73.0301 (1) (d) 3. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7) (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3), (3g), or (3m), 254.176, 254.20 (3), 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or 343.305 (6) (a) or a permit license for operation of a campground specified in s. ~~254.47 (1)~~ 97.67 (1).

\*\*\*NOTE: This is reconciled s. 73.0301 (1) (d) 3. This SECTION has been affected by drafts with the following LRB numbers: -0602/P3 and -0807/P5.

**SECTION 14.** 76.80 (3) of the statutes is amended to read:

76.80 (3) “Telecommunications services” means the transmission of voice, video, facsimile or data messages, including telegraph messages, except that “telecommunications services” does not include video service, as defined in s. 66.0420 (2) (y), radio, one-way radio paging or transmitting messages incidental to transient occupancy in hotels, as defined in s. ~~254.61 (3)~~ 97.01 (7).

**SECTION 15.** 87.305 (1) (intro.) of the statutes is amended to read:

87.305 (1) DEPARTMENT APPROVAL. (intro.) Notwithstanding s. 87.30 or any rule promulgated, order issued or ordinance adopted under that section, the department shall authorize the connection of a sanitary sewer line from the sewerage treatment

plant in the city of Prairie du Chien and connection of the public water system of the city of Prairie du Chien to the railroad depot and the Dousman hotel on St. Feriole island and shall authorize historic use of the Dousman hotel as a hotel, as defined under s. ~~254.61 (3)~~ 97.01 (7), if all of the following conditions are met:

**SECTION 16.** 93.06 (14) of the statutes is created to read:

**93.06 (14) COOPERATION AND COLLABORATIVE AGREEMENTS.** Promote cooperation and formal collaborative agreements among any of the following with regard to enforcement of the laws and regulations administered by the department, planning, priority setting, information and data sharing, reporting, resource allocation, funding, service delivery, and jurisdiction:

- (a) This state.
- (b) Local health departments.
- (c) Federally recognized American Indian tribes or bands located in this state.
- (d) The federal Indian health service.

**SECTION 17.** 93.07 (24) (e) of the statutes is created to read:

**93.07 (24) (e)** To enforce the laws for the sanitary care of campgrounds and camping resorts, recreational and educational camps, public swimming pools, hotels, tourist rooming houses, vending machine commissaries, vending machines, and other persons or entities subject to regulation by the department.

**SECTION 18.** 93.135 (1) (ng) of the statutes is created to read:

**93.135 (1) (ng)** A certificate under s. 97.33.

**SECTION 19.** 93.135 (1) (nt) of the statutes is created to read:

**93.135 (1) (nt)** A license under s. 97.605 (1) or 97.67 (1) or (2m).

**SECTION 20.** Chapter 97 (title) of the statutes is amended to read:

## **CHAPTER 97**



**FOOD REGULATION, LODGING, AND  
RECREATION**

**SECTION 21.** Subchapter I (title) of chapter 97 [precedes 97.01] of the statutes is created to read:

**CHAPTER 97**

SUBCHAPTER I

DEFINITIONS

**SECTION 22.** 97.01 (1) of the statutes is renumbered 97.01 (1r).

**SECTION 23.** Subchapter II (title) of chapter 97 [precedes 97.02] of the statutes is created to read:

**CHAPTER 97**

SUBCHAPTER II

FOOD SAFETY AND REGULATION

**SECTION 24.** 97.12 (1) of the statutes is amended to read:

97.12 (1) For the purpose of enforcing this chapter, the department and its agents may, at reasonable hours, enter and inspect any premises for which a license is required under this chapter or any farm, factory, warehouse, building, room, establishment or place at or in which foods are manufactured, processed, packed, packaged, stored or held for sale, and may enter any vehicle, including a vehicle used to transport or hold foods in commerce. The department and its agents may also secure samples or specimens, including samples or specimens of food and any product or substance that may affect food, examine and copy relevant documents and records, and obtain photographic and other evidence needed to enforce this chapter or a rule promulgated under this chapter. The department shall examine any samples secured and shall conduct other inspections and examinations needed to

determine whether there is a violation of this chapter. The department shall pay or offer to pay the market value of samples taken.

**SECTION 25.** 97.12 (5) of the statutes is created to read:

97.12 (5) Any person who fails to comply with an order issued under this chapter may be required to forfeit \$50 for each day of noncompliance.

**SECTION 26.** 97.18 (5m) of the statutes is repealed.

**SECTION 27.** 97.20 (2) (e) 2. of the statutes is amended to read:

97.20 (2) (e) 2. The retail preparation and processing of meals for sale directly to consumers or through vending machines, if the preparation and processing is covered under a ~~restaurant permit or other permit~~ license issued under s. ~~254.64~~ 97.605.

**SECTION 28.** 97.25 (3) of the statutes is amended to read:

97.25 (3) RULES. The department shall promulgate rules authorizing the operator of a dairy plant licensed under s. 97.20, or a retail food establishment licensed under s. 97.30 ~~or a restaurant with a permit under s. 254.64~~ who complies with the rules to place upon the label of a dairy product the statement "Farmer-certified rBGH free." or an equivalent statement that is not false or misleading. The statement shall be based upon affidavits from milk producers stating that the milk producers do not use synthetic bovine growth hormone for the production of milk.

**SECTION 29.** 97.27 (1) (b) 3. of the statutes is amended to read:

97.27 (1) (b) 3. A retail food establishment, ~~restaurant~~ or other retail facility at which food is stored on a temporary basis incidental to retail preparation or sale.

**SECTION 30.** 97.29 (1) (c) of the statutes is amended to read:

97.29 (1) (c) “Bottling establishment” means any place where drinking water, soda water beverage or alcohol beverage is manufactured or bottled for sale. “Bottling establishment” does not include a retail establishment engaged in the preparation and sale of beverages under a license issued under s. 125.26 or 125.51 or a ~~restaurant permit license issued under s. 97.30 for a restaurant or other permit license issued under s. 254.64~~ 97.605.

**SECTION 31.** 97.29 (1) (g) 3. of the statutes is amended to read:

97.29 (1) (g) 3. The retail preparation and processing of meals for sale directly to consumers or through vending machines if the preparation and processing is covered under a ~~restaurant permit or other permit license issued under s. 254.64~~ 97.605.

**SECTION 32.** 97.29 (1) (h) of the statutes is amended to read:

97.29 (1) (h) “Food processing plant” means any place where food processing is conducted. “Food processing plant” does not include any establishment subject to the requirements of s. 97.30 ~~or any restaurant or other~~ an establishment holding a ~~permit license~~ under s. 254.64 97.605, to the extent that the activities of that establishment are covered by s. 97.30 or the ~~permit license~~ under s. 254.64 97.605.

**SECTION 33.** 97.30 (1) (c) of the statutes is amended to read:

97.30 (1) (c) “Retail food establishment” means a permanent or mobile food processing facility where food processing is conducted primarily for direct retail sale to consumers at the facility, a mobile facility from which potentially hazardous food is sold to consumers at retail or a permanent facility from which food is sold to consumers at retail, whether or not that facility sells potentially hazardous food or is engaged in food processing. “Retail food establishment” ~~does not include~~ includes a restaurant or ~~other establishment~~ temporary restaurant, but does not include an

establishment holding a permit license under s. ~~254.64~~ 97.605, to the extent that the activities of the establishment are covered by that permit license.

**SECTION 34.** 97.30 (2) (b) 1. c. of the statutes is amended to read:

97.30 (2) (b) 1. c. A retail food establishment which is exempted from licensing by the department by rule. If ~~a restaurant or other~~ an establishment for which a permit license has been issued under s. ~~254.64~~ 97.605 is incidentally engaged in operating a retail food establishment at the same location, the department may exempt by rule the ~~restaurant or~~ establishment from licensing under this section. ~~Rules under this subd. 1. c. shall conform to a memorandum of understanding between the department and the department of health services, under which the department of health services agrees to inspect the retail food establishment operations on behalf of the department.~~

**SECTION 35.** 97.30 (2) (c) of the statutes is created to read:

97.30 (2) (c) *Pre-licensing inspection.* The department or an agent city or county may not issue a license for a new retail food establishment until it inspects the new retail food establishment for compliance with this section and rules promulgated under this section. A licensed retail food establishment is not considered a new retail food establishment under this paragraph solely because of a change in ownership, or solely because of alterations in the retail food establishment.

**SECTION 36.** 97.30 (3m) (intro.) of the statutes is amended to read:

97.30 (3m) FEE AMOUNTS. (intro.) The department shall specify by rule the amount of the fees under sub. (3) for a restaurant. Unless otherwise required by department rule, the fees required under sub. (3) for a retail food establishment other than a restaurant are:

**SECTION 37.** 97.30 (3m) (a) (intro.) of the statutes is amended to read:

97.30 **(3m)** (a) (intro.) For a retail food establishment, other than a restaurant, that has annual food sales of \$25,000 or more but less than \$1,000,000 and that processes potentially hazardous food, the following amounts:

**SECTION 38.** 97.30 (3m) (b) (intro.) of the statutes is amended to read:

97.30 **(3m)** (b) (intro.) For a retail food establishment, other than a restaurant, that has annual food sales of \$1,000,000 or more and that processes potentially hazardous food, the following amounts:

**SECTION 39.** 97.30 (3m) (c) (intro.) of the statutes is amended to read:

97.30 **(3m)** (c) (intro.) For a retail food establishment, other than a restaurant, that has annual food sales of \$25,000 or more and that is engaged in food processing, but that does not process potentially hazardous food, the following amounts:

**SECTION 40.** 97.30 (3m) (cm) of the statutes is amended to read:

97.30 **(3m)** (cm) For a retail food establishment, other than a restaurant, that has annual food sales of less than \$25,000 and that is engaged in food processing, an annual license fee of \$40 and a reinspection fee of \$40.

**SECTION 41.** 97.30 (3m) (d) of the statutes is amended to read:

97.30 **(3m)** (d) For a retail food establishment, other than a restaurant, that is not engaged in food processing, an annual license fee of \$20 and a reinspection fee of \$50.

**SECTION 42.** 97.41 (1m) of the statutes is amended to read:

97.41 **(1m)** In the administration of this chapter, the department may enter into a written agreement with a local health department, if the jurisdictional area of the local health department has a population greater than 5,000, which designates the local health department as the agent of the department of agriculture, trade and

consumer protection for issuing licenses to and making investigations or inspections of retail food establishments, as defined in s. 97.30 (1) (c). When the designation is made, no license other than the license issued by the local health department under this section may be required by the department of agriculture, trade and consumer protection or the local health department for the same operations. The department of agriculture, trade and consumer protection shall ~~coordinate~~ oversee the designation of agents under this section ~~with the department of health services~~ to ensure that, to the extent feasible, the same local health department is granted agent status under this section and under s. ~~254.69 (2)~~ 97.615 (2). Except as otherwise provided by the department of agriculture, trade and consumer protection, a local health department granted agent status shall regulate all types of establishments for which this subsection permits the department of agriculture, trade and consumer protection to delegate regulatory authority.

**SECTION 43.** 97.41 (4) (a) of the statutes is amended to read:

97.41 (4) (a) Except as provided in par. (b), a local health department granted agent status under this section shall establish and collect the license fee for retail food establishments, as defined in s. 97.30 (1) (c). The local health department may establish separate fees for ~~preinspections~~ pre-licensing inspections of new establishments, for ~~preinspections~~ pre-licensing inspections of existing establishments for which a person intends to be the new operator or for the issuance of duplicate licenses. No fee may exceed the local health department's reasonable costs of issuing licenses to, making investigations and inspections of, and providing education, training and technical assistance to the establishments, plus the state fee established under sub. (5). A local health department which is granted agent status under this section or under s. ~~254.69~~, 97.615 may issue a single license and establish

and collect a single fee which authorizes the operation on the same premises of more than one type of establishment with respect to which it is granted agent status under this section or under s. ~~254.69 (2)~~ 97.615 (2).

**SECTION 44.** 97.42 (3) (em) of the statutes is amended to read:

97.42 (3) (em) *Slaughter of farm-raised deer.* The requirements of pars. (a) and (b) do not apply to the slaughter of a farm-raised deer if its meat food products are not sold by a person holding a restaurant permit under s. 254.64 or by an operator of a retail food establishment, as defined under s. 97.30 (1) (c). The operator of an establishment in which farm-raised deer, their carcasses or their meat food products are examined and inspected under this subsection shall pay the department for the cost of the department's examination and inspection.

**SECTION 45.** Subchapter III (title) of chapter 97 [precedes 97.603] of the statutes is created to read:

## **CHAPTER 97**

### **SUBCHAPTER III**

#### **LODGING AND VENDING MACHINES**

**SECTION 46.** Subchapter IV (title) of chapter 97 [precedes 97.67] of the statutes is created to read:

## **CHAPTER 97**

### **SUBCHAPTER IV**

#### **RECREATIONAL SANITATION**

**SECTION 47.** Subchapter V (title) of chapter 97 [precedes 97.70] of the statutes is created to read:

## **CHAPTER 97**

### **SUBCHAPTER V**

**GENERAL PROVISIONS**

**SECTION 48.** 97.70 of the statutes is created to read:

**97.70 Authority of department of safety and professional services.**

Nothing in this chapter affects the authority of the department of safety and professional services relative to places of employment, elevators, boilers, fire escapes, fire protection, or the construction of public buildings.

**SECTION 49.** 97.703 of the statutes is created to read:

**97.703 Joint employment.** The department and the department of safety and professional services may employ experts, inspectors, or other assistants jointly.

**SECTION 50.** 100.36 of the statutes is amended to read:

**100.36 Frauds; substitute for butter; advertisement.** No person may use the word “butter” in any way in connection or association with the sale or exposure for sale or advertisement of any substance designed to be used as a substitute for butter. No person may use terms such as “cream”, “creamery” or “dairy”, or the name or representation of any breed of dairy cattle, or any combination of such words and representation, or any other words or symbols or combinations thereof commonly used in the sale of butter unless at least 40% of the substitute is butterfat. If the term “butter” is used in connection with the name of any such product, it shall be qualified so as to distinguish it from butter as defined in s. 97.01 ~~(1)~~ (1r).

**SECTION 51.** 101.05 (2) of the statutes is amended to read:

101.05 **(2)** A bed and breakfast establishment, as defined under s. 254.61 ~~(1)~~ 97.01 (1g), is not subject to building codes adopted by the department under this subchapter.

**SECTION 52.** 101.123 (1) (bn) 1. of the statutes is amended to read:



101.123 (1) (bn) 1. A bed and breakfast establishment, as defined in s. ~~254.61~~  
(1) 97.01 (1g).

**SECTION 53.** 101.123 (1) (bn) 2. of the statutes is amended to read:

101.123 (1) (bn) 2. A hotel, as defined in s. ~~254.61 (3)~~ 97.01 (7).

**SECTION 54.** 101.123 (1) (bn) 3. of the statutes is amended to read:

101.123 (1) (bn) 3. A tourist rooming house, as defined in s. ~~254.61 (6)~~ 97.01  
(15k).

**SECTION 55.** 101.123 (1) (f) of the statutes is amended to read:

101.123 (1) (f) "Restaurant" ~~means an establishment as defined~~ has the  
meaning given in s. ~~254.61 (5)~~ 97.01 (14g).

**SECTION 56.** 101.128 (1) (c) of the statutes is amended to read:

101.128 (1) (c) "Hotel" has the meaning given in s. ~~254.61 (3)~~ 97.01 (7).

**SECTION 57.** 101.128 (1) (e) of the statutes is amended to read:

101.128 (1) (e) "Restaurant" has the meaning given in s. ~~254.61 (5)~~ 97.01 (14g).

**SECTION 58.** 101.149 (1) (ag) of the statutes is amended to read:

101.149 (1) (ag) "Bed and breakfast establishment" has the meaning given in  
s. ~~254.61 (1)~~ 97.01 (1g).

**SECTION 59.** 101.149 (1) (cm) of the statutes is amended to read:

101.149 (1) (cm) "Tourist rooming house" has the meaning given in s. ~~254.61~~  
(6) 97.01 (15k).

**SECTION 60.** 101.149 (5) (c) of the statutes is amended to read:

101.149 (5) (c) All of the fuel-burning appliances in the residential building  
have sealed combustion units that are inspected as provided in the rules  
promulgated by the department under sub. (6) (b) or in the rules promulgated by the  
department of health services under s. ~~254.74~~ 97.625 (1) (am).

**SECTION 61.** 101.149 (8) (a) of the statutes, as affected by 2015 Wisconsin Act ... (this act), is amended to read:

101.149 (8) (a) If the department or the department of ~~health services~~ agriculture, trade and consumer protection determines after an inspection of a building under this section or s. ~~254.74~~ 97.625 (1g) that the owner of the building has violated sub. (2) or (3), the respective department shall issue an order requiring the person to correct the violation within 5 days or within such shorter period as the respective department determines is necessary to protect public health and safety. If the person does not correct the violation within the time required, he or she shall forfeit \$50 for each day of violation occurring after the date on which the respective department finds that the violation was not corrected.

\*\*\*NOTE: This is reconciled s.101.149 (8) (a). This SECTION has been affected by drafts with the following LRB numbers: -0602/P4 and -0807/P6.

**SECTION 62.** 101.63 (1) (intro.) of the statutes is amended to read:

101.63 (1) (intro.) Adopt rules which establish standards for the construction and inspection of one- and 2-family dwellings and components thereof. 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 rules may be adopted which has not taken 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. Rules promulgated under this subsection do not apply to a bed and breakfast establishment, as defined under s. ~~254.61~~ (1) 97.01 (1g), except that the rules apply to all of the following:

**SECTION 63.** 101.647 (1) (am) of the statutes is amended to read:

101.647 (1) (am) Notwithstanding s. 101.61 (1), “dwelling” does not include a tourist rooming house, as defined in s. ~~254.61 (6)~~ 97.01 (15k).

**SECTION 64.** 101.935 (2) (e) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

101.935 (2) (e) Section ~~254.69 (2)~~ 97.615 (2), as it applies to an agent for the department of ~~health services~~ agriculture, trade and consumer protection in the administration of s. ~~254.47~~ 97.67, applies to an agent for the department in the administration of this section.

\*\*\*NOTE: This is reconciled s. 101.935 (2) (e). This SECTION has been affected by drafts with the following LRB numbers: -0602/P3 and -0807/P5.

**SECTION 65.** 106.52 (1) (d) 1. of the statutes is amended to read:

106.52 (1) (d) 1. A bed and breakfast establishment, as defined in s. ~~254.61 (1)~~ 97.01 (1g).

**SECTION 66.** 106.52 (1) (d) 2. of the statutes is amended to read:

106.52 (1) (d) 2. A hotel, as defined in s. ~~254.61 (3)~~ 97.01 (7).

**SECTION 67.** 106.52 (1) (d) 3. of the statutes is amended to read:

106.52 (1) (d) 3. A tourist rooming house, as defined in s. ~~254.61 (6)~~ 97.01 (15k).

**SECTION 68.** 108.227 (1) (e) 3. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

108.227 (1) (e) 3. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit or approval specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7) (b) 11., 51.421 (3) (a), 51.45 (8), 146.40 (3), (3g), or (3m), 254.176, 254.20 (3), 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or 343.305 (6) (a) or a permit license for operation of a campground specified in s. ~~254.47 (1)~~ 97.67 (1).

\*\*\*NOTE: This is reconciled s. 108.227 (1) (e) 3. This SECTION has been affected by drafts with the following LRB numbers: -0602/P3 and -0807/P5.

**SECTION 69.** 125.02 (3r) of the statutes is amended to read:

125.02 (3r) “Caterer” means any person holding a ~~restaurant permit license~~ under s. ~~254.64~~ 97.30 for a restaurant who is in the business of preparing food and transporting it for consumption on premises where gatherings, meetings, or events are held, if the sale of food at each gathering, meeting, or event accounts for greater than 50 percent of the gross receipts of all of the food and beverages served at the gathering, meeting, or event.

**SECTION 70.** 125.02 (7) of the statutes is amended to read:

125.02 (7) “Hotel” means a hotel, as defined in s. ~~254.61(3)~~ 97.01 (7), that is provided with a restaurant.

**SECTION 71.** 125.02 (18) of the statutes is amended to read:

125.02 (18) “Restaurant” means a restaurant, as defined in s. ~~254.61(5)~~ 97.01 (14g).

**SECTION 72.** 125.06 (12) of the statutes is amended to read:

125.06 (12) **BED AND BREAKFAST ESTABLISHMENTS.** The provision by a bed and breakfast establishment, as defined under s. ~~254.61(1)~~ 97.01 (1g), of not more than 2 complimentary 4-fluid-ounce glasses of wine per day to a person renting a room at the bed and breakfast establishment for consumption on the premises of the bed and breakfast establishment.

**SECTION 73.** 125.07 (3) (a) 6. of the statutes is amended to read:

125.07 (3) (a) 6. Premises operated under both a Class “B” or “Class B” license or permit and a ~~restaurant permit license~~ under s. 97.30 for a restaurant where the principal business conducted is that of a restaurant. If the premises are operated

under both a Class “B” or “Class B” license or permit and a ~~restaurant permit license~~ under s. 97.30 for a restaurant, the principal business conducted is presumed to be the sale of alcohol beverages, but the presumption may be rebutted by competent evidence.

**SECTION 74.** 125.07 (3) (a) 6m. of the statutes is amended to read:

125.07 (3) (a) 6m. Premises operating under both a “Class C” license and a ~~restaurant permit license~~ under s. 97.30 for a restaurant.

**SECTION 75.** 125.29 (6) of the statutes is amended to read:

125.29 (6) RESTAURANTS. A brewer may operate a restaurant on the brewery premises and at an off-site retail outlet established by the brewer. A brewer may not hold a ~~restaurant permit license~~ under s. 97.30 for a restaurant for the operation of a restaurant at any other location except that a brewer may possess or hold an indirect interest in a Class “B” license for not more than 20 restaurants in each of which the sale of alcohol beverages accounts for less than 60 percent of the restaurant’s gross receipts if no fermented malt beverages manufactured by the brewer are offered for sale in any of these restaurants.

**SECTION 76.** 125.295 (2) (a) 3. of the statutes is amended to read:

125.295 (2) (a) 3. The applicant operates a restaurant on the premises for which the permit is issued, for which a ~~restaurant permit license~~ is issued under s. 254.64 97.30 for a restaurant.

**SECTION 77.** 125.295 (2) (b) of the statutes is amended to read:

125.295 (2) (b) If an applicant under par. (a) has no current operations, the applicant may certify that the applicant has applied for or will apply for a Class “B” license or ~~restaurant permit license~~ under s. 97.30 for a restaurant or will comply with any other requirement under par. (a), prior to or upon commencing operations

authorized under this section. If a Class “B” license or ~~restaurant permit license~~ under s. 97.30 for a restaurant is not subsequently issued to the applicant, or if the applicant otherwise fails to comply with any requirement for eligibility under par. (a), the department may revoke under s. 125.12 (5) the permit issued under this section.

**SECTION 78.** 125.68 (5) of the statutes is amended to read:

125.68 (5) RESTAURANT SANITATION RULES. No applicant may obtain a “Class B” license or permit or a “Class C” license unless the premises complies with the rules promulgated by the department of ~~health services~~ agriculture, trade and consumer protection governing sanitation in restaurants. However, the department of ~~health services~~ agriculture, trade and consumer protection may not restrict the serving of cheese without charge in individual portions to customers as permitted by s. ~~254.61~~ (5) 97.01 (14g).

**SECTION 79.** 126.56 (2) (b) of the statutes is amended to read:

126.56 (2) (b) A restaurant or other retail food establishment that procures processing vegetables solely for retail sale at the restaurant or other retail food establishment.

**SECTION 80.** 250.041 (1) (e) of the statutes, as affected by 2015 Wisconsin Act .... (this act), is repealed.

\*\*\*NOTE: This is reconciled s. 250.041 (1) (e). This SECTION has been affected by drafts with the following LRB numbers: -0602/P3 and -0807/P5.

**SECTION 81.** 250.041 (1) (f) of the statutes is repealed.

**SECTION 82.** 252.02 (4) of the statutes is amended to read:

252.02 (4) The Except as provided in ss. 93.07 (24) (e) and 97.59, the department may promulgate and enforce rules or issue orders for guarding against

the introduction of any communicable disease into the state, for the control and suppression of communicable diseases, for the quarantine and disinfection of persons, localities and things infected or suspected of being infected by a communicable disease and for the sanitary care of jails, state prisons, mental health institutions, schools, hotels and public buildings and connected premises. Any rule or order may be made applicable to the whole or any specified part of the state, or to any vessel or other conveyance. The department may issue orders for any city, village or county by service upon the local health officer. Rules that are promulgated and orders that are issued under this subsection supersede conflicting or less stringent local regulations, orders or ordinances.

**SECTION 83.** 252.18 of the statutes is renumbered 97.59 and amended to read:

**97.59 Handling foods.** No person in charge of any public eating place or other establishment where food products to be consumed by others are handled may knowingly employ any person handling food products who has a disease in a form that is communicable by food handling. If required by the local health officer or any officer of the department for the purposes of an investigation, any person who is employed in the handling of foods or is suspected of having a disease in a form that is communicable by food handling shall submit to an examination by the officer or by a physician, physician assistant, or advanced practice nurse prescriber designated by the officer. The expense of the examination, if any, shall be paid by the person examined. Any person knowingly infected with a disease in a form that is communicable by food handling who handles food products to be consumed by others and any persons knowingly employing or permitting such a person to handle food products to be consumed by others shall be punished as provided by s. ~~252.25~~ 97.72.

**SECTION 84.** 254.02 (3) (a) of the statutes is amended to read:

254.02 (3) (a) The department of agriculture, trade and consumer protection, the department of corrections, the department of safety and professional services, and the department of natural resources shall enter into memoranda of understanding with the department to establish protocols for the department to review proposed rules of those state agencies relating to air and water quality, occupational health and safety, institutional sanitation, toxic substances, indoor air quality, ~~food protection~~ or waste handling and disposal.

**SECTION 85.** 254.115 (1) (c) of the statutes is repealed.

**SECTION 86.** 254.47 (title) of the statutes is renumbered 97.67 (title) and amended to read:

**97.67 Recreational permits licenses and fees.**

**SECTION 87.** 254.47 (1) of the statutes is renumbered 97.67 (1) and amended to read:

97.67 (1) Except as provided in sub. (1g) and ~~ss. 250.041 and 254.115 s. 93.135,~~ the department or a local health department granted agent status under s. ~~254.69~~ (2) 97.615 (2) shall issue ~~permits~~ licenses to and regulate campgrounds and camping resorts, recreational and educational camps and public swimming pools. No person or state or local government who has not been issued a ~~permit~~ license under this section may conduct, maintain, manage or operate a campground and camping resort, recreational camp and educational camp or public swimming pool, as defined by departmental rule.

**SECTION 88.** 254.47 (1g) of the statutes is renumbered 97.67 (1g).

**SECTION 89.** 254.47 (1m) of the statutes is renumbered 97.67 (1m) and amended to read:



97.67 (1m) The department or a local health department granted agent status under s. ~~254.69~~ 97.615 (2) may not, without a ~~preinspection~~ pre-licensing inspection, grant a ~~permit~~ license to a person intending to operate a new public swimming pool, campground, or recreational or educational camp or to a person intending to be the new operator of an existing public swimming pool, campground, or recreational or educational camp.

**SECTION 90.** 254.47 (2) of the statutes is renumbered 97.67 (2) and amended to read:

97.67 (2) (a) A separate ~~permit~~ license is required for each campground, camping resort, recreational or educational camp, and public swimming pool. Except as provided in par. (b) or (c), no ~~permit~~ license issued under this section is transferable from one premises to another or from one person, state or local government to another.

(b) A ~~permit~~ license issued under this section may be transferred from an individual to an immediate family member, as defined in s. ~~254.64~~ 97.605 (4) (a) 2., if the individual is transferring operation of the campground, camping resort, recreational or educational camp, or public swimming pool to the immediate family member.

(c) A sole proprietorship that reorganizes as a business entity, as defined in s. 179.70 (1), or a business entity that reorganizes as a sole proprietorship or a different type of business entity may transfer a ~~permit~~ license issued under this section for a campground, camping resort, recreational or educational camp, or public swimming pool to the newly formed business entity or sole proprietorship if all of the following conditions are satisfied:

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1. The campground, camping resort, recreational or educational camp, or public swimming pool remains at the location for which the permit license was issued.

2. At least one individual who had an ownership interest in the sole proprietorship or business entity to which the permit license was issued has an ownership interest in the newly formed sole proprietorship or business entity.

**SECTION 91.** 254.47 (2m) of the statutes is renumbered 97.67 (2m) and amended to read:

97.67 (2m) Except as provided in ~~ss. 250.041 and 254.115~~ s. 93.135, the initial issuance, renewal or continued validity of a permit license issued under this section may be conditioned upon the requirement that the permittee licensee correct a violation of this section, rules promulgated by the department under this section or ordinances adopted under ~~s. 254.69~~ 97.615 (2) (g), within a period of time that is specified. If the condition is not met within the specified period of time, the permit license is void.

**SECTION 92.** 254.47 (3) of the statutes is repealed.

**SECTION 93.** 254.47 (4) of the statutes is renumbered 97.67 (4) and amended to read:

97.67 (4) ~~Permits Licenses~~ issued under this section expire on June 30, except that ~~permits licenses~~ initially issued during the period beginning on April 1 and ending on June 30 expire on June 30 of the following year. Except as provided in ~~s. 254.69~~ 97.615 (2) (d) and (e), the department shall promulgate rules that establish, for ~~permits licenses~~ issued under this section, amounts of permit license fees, ~~preinspection pre-licensing inspection~~ fees, reinspection fees, fees for operating without a license, and late fees for untimely permit license renewal.

**SECTION 94.** 254.47 (5) of the statutes is renumbered 97.67 (5) and amended to read:

97.67 (5) No ~~permit~~ license may be issued under this section until all applicable fees have been paid. If the payment is by check or other draft drawn upon an account containing insufficient funds, the ~~permit~~ license applicant shall, within 15 days after receipt of notice from the department of the insufficiency, pay by cashier's check or other certified draft, money order or cash the fees from the department, late fees and processing charges that are specified by rules promulgated by the department. If the ~~permit~~ license applicant fails to pay all applicable fees, late fees and the processing charges within 15 days after the applicant receives notice of the insufficiency, the ~~permit~~ license is void. In an appeal concerning voiding of a ~~permit~~ license under this subsection, the burden is on the ~~permit~~ license applicant to show that the entire applicable fees, late fees and processing charges have been paid. During any appeal process concerning payment dispute, operation of the establishment in question is deemed considered to be operation without a ~~permit~~ license.

**SECTION 95.** 254.47 (5m) of the statutes is renumbered 97.67 (5m).

**SECTION 96.** 254.47 (6) of the statutes is renumbered 97.67 (6).

**SECTION 97.** 254.47 (7) of the statutes is renumbered 97.67 (7) and amended to read:

97.67 (7) The department may not require that a swimming pool be staffed by a lifeguard as a condition of receiving a ~~permit~~ license under this section if the swimming pool is less than 2,500 square feet, the swimming pool is located in a private club in the city of Milwaukee, and the club has a policy that prohibits a minor from using the swimming pool when not accompanied by an adult.

**SECTION 98.** Subchapter VII (title) of chapter 254 [precedes 254.61] of the statutes is repealed.

**SECTION 99.** 254.61 (title) of the statutes is repealed.

**SECTION 100.** 254.61 (intro.) of the statutes is repealed.

**SECTION 101.** 254.61 (1) of the statutes is renumbered 97.01 (1g).

**SECTION 102.** 254.61 (2) of the statutes is repealed.

**SECTION 103.** 254.61 (3) of the statutes is renumbered 97.01 (7).

**SECTION 104.** 254.61 (3m) of the statutes is renumbered 97.01 (13g).

**SECTION 105.** 254.61 (4) of the statutes is renumbered 97.01 (13r) and amended to read:

97.01 (13r) "Public health and safety" means the highest degree of protection against infection, contagion or disease and freedom from the danger of fire or accident that can be reasonably maintained in the operation of a hotel, ~~restaurant,~~ tourist rooming house, bed and breakfast establishment, vending machine or vending machine commissary.

**SECTION 106.** 254.61 (5) of the statutes is renumbered 97.01 (14g), and 97.01 (14g) (intro.), as renumbered, is amended to read:

97.01 (14g) (intro.) "Restaurant" means any building, room or place where ~~meals are prepared or served or sold~~ at which the predominant activity is the preparation, service, or sale of meals to transients or the general public, and including all places used in connection with it and ~~includes~~ including any public or private school lunchroom for which food service is provided by contract. "Meals" does not include soft drinks, ice cream, milk, milk drinks, ices and confections. "Restaurant" does not include:

**SECTION 107.** 254.61 (5m) of the statutes is renumbered 97.01 (15b).

**SECTION 108.** 254.61 (5r) of the statutes is renumbered 97.01 (15f).

**SECTION 109.** 254.61 (6) of the statutes is renumbered 97.01 (15k).

**SECTION 110.** 254.61 (7) of the statutes is renumbered 97.01 (15p).

**SECTION 111.** 254.61 (8) of the statutes is renumbered 97.01 (15s) and amended to read:

97.01 (15s) "Vending machine commissary" means any building, room or place where the food, beverage, ingredients, containers, transport equipment or supplies for vending machines are kept, handled, prepared or stored by a vending machine operator. "Vending machine commissary" does not mean any place at which the operator is licensed to manufacture, distribute or sell food products under ~~ch. 97~~ this chapter.

**SECTION 112.** 254.61 (9) of the statutes is renumbered 97.01 (15w).

**SECTION 113.** 254.61 (10) of the statutes is renumbered 97.01 (15y).

**SECTION 114.** 254.62 of the statutes is renumbered 97.60.

**SECTION 115.** 254.63 of the statutes is renumbered 97.603.

**SECTION 116.** 254.64 of the statutes is renumbered 97.605, and 97.605 (title), (1), (1m), (1p), (2), (3), (4) (b), (d) and (e) and (5), as renumbered, are amended to read:

**97.605 (title) Permit Lodging and vending licenses.** (1) (a) No person may conduct, maintain, manage or operate a hotel, ~~restaurant, temporary restaurant,~~ tourist rooming house, vending machine commissary or vending machine if the person has not been issued an annual permit license by the department or by a local health department that is granted agent status under s. ~~254.69~~ 97.615 (2).

(b) No person may maintain, manage or operate a bed and breakfast establishment for more than 10 nights in a year without having first obtained an annual permit license from the department.

(c) Except as provided in s. ~~250.041~~ 93.135, no ~~permit license~~ may be issued under this section until all applicable fees have been paid. If the payment is by check or other draft drawn upon an account containing insufficient funds, the ~~permit license~~ applicant shall, within 15 days after receipt of notice from the department of the insufficiency, pay by cashier's check or other certified draft, money order or cash the fees, late fees and processing charges that are specified by rules promulgated by the department. If the ~~permit license~~ applicant fails to pay all applicable fees, late fees and processing charges within 15 days after the applicant receives notice of the insufficiency, the ~~permit license~~ is void. In an appeal concerning voiding of a ~~permit license~~ under this paragraph, the burden is on the ~~permit license~~ applicant to show that the entire applicable fees, late fees and processing charges have been paid. During any appeal process concerning payment dispute, operation of the establishment in question is deemed to be operation without a ~~permit license~~.

(d) If a person or establishment ~~otherwise~~ licensed under ~~ch. 97~~ this chapter is incidentally engaged in an activity for which a ~~permit license~~ is required under this section, the department may, by rule, exempt the person or establishment from the ~~permit license~~ requirement under this section. ~~Rules under this paragraph shall conform to a memorandum of understanding between the department and the department of agriculture, trade and consumer protection.~~

**(1m)** No county, city, village or town may require any ~~permit license~~ of, or impose any ~~permit license~~ or inspection fee on, a vending machine operator, vending machine commissary or vending machine ~~permitted licensed~~ under this subchapter chapter.

**(1p)** Except as provided in s. ~~250.041~~ 93.135, the department may condition the initial issuance, renewal or continued validity of a ~~permit license~~ issued under this

section on correction by the ~~permittee~~ licensee of a violation of this subchapter, rules promulgated by the department under this subchapter or ordinances or regulations adopted under s. ~~254.69~~ 97.615 (2) (g), within a specified period of time. If the ~~permittee~~ licensee fails to meet the condition within the specified period of time, the ~~permit~~ license is void.

(2) Except as provided in sub. (3), a separate ~~permit~~ license is required for each hotel, tourist rooming house, bed and breakfast establishment, or vending machine commissary.

(3) (a) A bulk milk dispenser may be operated in a restaurant without a vending machine or vending machine operator ~~permit~~ license.

(b) A restaurant may operate as a vending machine commissary without a vending machine commissary ~~permit~~ license.

(4) (b) Except as provided in par. (d) or (e), no ~~permit~~ license is transferable from one premises to another or from one person to another.

(d) The holder of a ~~permit~~ license issued under this section may transfer the ~~permit~~ license to an individual who is an immediate family member if the holder is transferring operation of the hotel, tourist rooming house, bed and breakfast establishment, or vending machine to the immediate family member.

(e) A sole proprietorship that reorganizes as a business entity or a business entity that reorganizes as either a sole proprietorship or a different type of business entity may transfer a ~~permit~~ license issued under this section for operation of an a hotel, tourist rooming house, bed and breakfast establishment, or vending machine commissary to the newly formed business entity or sole proprietorship if the following conditions are satisfied:

1. The hotel, tourist rooming house, bed and breakfast establishment, or vending machine commissary remains at the location for which the permit license was issued.

2. At least one individual who had an ownership interest in the sole proprietorship or business entity to which the permit license was issued has an ownership interest in the newly formed sole proprietorship or business entity.

(5) (a) Except as provided in par. (b), all permits licenses expire on June 30, except that permits licenses initially issued during the period beginning on April 1 and ending on June 30 expire on June 30 of the following year.

(b) 1. The local health department of a city of the 1st class that has entered into an agreement with the department under s. ~~254.69~~ 97.615 (2) may issue a permit license for a ~~restaurant or~~ bed and breakfast establishment required under this section at any time during the year. A permit license issued under this subdivision shall expire one year from the date of its issuance.

2. The holder of a permit license for a ~~restaurant or~~ bed and breakfast establishment may request an extension to the term of a permit license issued under this section by the local health department of a city of the 1st class that has entered into an agreement with the department under s. ~~254.69~~ 97.615 (2) for the purpose of aligning the annual term of any other license or permit issued to that permit license holder with the annual term of a permit license to be issued to that permit license holder under subd. 1. The local health department may require a permit license holder that receives an extension under this subdivision to pay a prorated fee in an amount determined by dividing the permit license fee imposed under s. ~~254.69~~ 97.615 (2) by 12 and multiplying the quotient by the number of months by which the permit license issued under this section is extended under this subdivision.



**SECTION 117.** 254.65 of the statutes is renumbered 97.607 and amended to read:

**97.607 ~~Preinspection~~ Pre-licensing inspection.** (1) The department or a local health department granted agent status under s. ~~254.69~~ 97.615 (2) may not grant a ~~permit~~ license to a person intending to operate a new hotel, tourist rooming house, bed and breakfast establishment, ~~restaurant~~ or vending machine commissary or to a person intending to be the new operator of an existing hotel, tourist rooming house, bed and breakfast establishment, ~~restaurant~~ or vending machine commissary without a ~~preinspection~~ pre-licensing inspection. This section does not apply to a ~~temporary restaurant~~ or when a ~~permit~~ license is transferred under s. ~~254.64~~ 97.605 (4) (d) or (e).

(2) Agents designated by the department under s. ~~254.69~~ 97.615 (1) shall make ~~preinspections~~ pre-licensing inspections of vending machine commissaries as required under this subsection and shall be reimbursed for those services at the rate of 80% of the ~~preinspection~~ pre-licensing inspection fee designated in this subsection. Agents designated by the department under s. ~~254.69~~ 97.615 (2) shall make ~~preinspections~~ pre-licensing inspections of hotels, ~~restaurants~~ and tourist rooming houses and establish and collect ~~preinspection~~ pre-licensing inspection fees under s. ~~254.69~~ 97.615 (2) (d).

**SECTION 118.** 254.66 of the statutes is renumbered 97.307 and amended to read:

**97.307 Average annual surveys.** The department or a local health department granted agent status under s. ~~254.69~~ (2) 97.41 shall annually make a number of inspections of restaurants in this state that shall equal the number of

restaurants for which annual ~~permits~~ licenses are issued under s. ~~254.64 (1) (a)~~ 97.30.

**SECTION 119.** 254.67 of the statutes is renumbered 97.61.

**SECTION 120.** 254.68 of the statutes is renumbered 97.613 and amended to read:

**97.613 Fees.** Except as provided in s. ~~254.69~~ 97.615 (2) (d) and (e), the department shall promulgate rules that establish, for ~~permits~~ licenses issued under s. ~~254.64~~, ~~permit~~ 97.605, license fees, ~~preinspection~~ pre-licensing inspection fees, reinspection fees, fees for operating without a ~~permit~~ license, late fees for untimely ~~permit~~ renewal, fees for comparable compliance or variance requests, and fees for ~~pre-permit~~ pre-license review of restaurant plans.

**SECTION 121.** 254.69 of the statutes is renumbered 97.615, and 97.615 (2) (title), (am), (b), (c), (d), (dm), (e), (f), (g), (h) and (j) 1. and 2., as renumbered, are amended to read:

**97.615 (2) (title)** HOTELS, RESTAURANTS, TOURIST ROOMING HOUSES, AND OTHER ESTABLISHMENTS. (am) In the administration of this subchapter or s. ~~254.47~~ 97.67, the department may enter into a written agreement with a local health department with a jurisdictional area that has a population greater than 5,000, which designates the local health department as the department's agent in issuing ~~permits~~ licenses to and making investigations or inspections of hotels, restaurants, ~~temporary~~ restaurants, tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, and public swimming pools. In a jurisdictional area of a local health department without agent status, the department of health services may issue ~~permits~~ licenses, collect fees established by rule under s. ~~254.68~~ 97.613 and make investigations or inspections

of hotels, ~~restaurants, temporary restaurants,~~ tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, and public swimming pools. If the department designates a local health department as its agent, the department or local health department may require no ~~permit~~ license for the same operations other than the ~~permit~~ license issued by the local health department under this subsection. The department shall ~~coordinate~~ oversee the designation of agents under this subsection ~~with the department of agriculture, trade and consumer protection~~ to ensure that, to the extent feasible, the same local health department is granted agent status under this subsection and under s. 97.41. ~~Except as otherwise provided by the department, a local health department granted agent status shall regulate all types of establishments for which this subchapter permits the department of health services to delegate regulatory authority.~~

(b) A local health department granted agent status under this subsection shall meet standards promulgated, by rule, by the department of ~~health services~~. The department shall annually evaluate the licensing, investigation and inspection program of each local health department granted agent status. If, at any time, a local health department granted agent status fails to meet the standards, the department of ~~health services~~ agriculture, trade and consumer protection may revoke its agent status.

(c) The department shall provide education and training to agents designated under this subsection to ensure uniformity in the enforcement of this subchapter, s. ~~254.47~~ 97.67 and rules promulgated under this subchapter and s. ~~254.47~~ 97.67.

(d) Except as provided in par. (dm), a local health department granted agent status under this subsection shall establish and collect the ~~permit~~ license fee for each

**SECTION 121**

type of establishment specified in par. (am). The local health department may establish separate fees for preinspections pre-licensing inspections of new establishments, for preinspections pre-licensing inspections of existing establishments for which a person intends to be the new operator or for the issuance of duplicate permits licenses. No fee may exceed the local health department's reasonable costs of issuing permits licenses to, making investigations and inspections of, and providing education, training and technical assistance to the establishments, plus the state fee established under par. (e). A local health department granted agent status under this subsection or under s. 97.41 may issue a single permit license and establish and collect a single fee which authorizes the operation on the same premises of more than one type of establishment for which it is granted agent status under this subsection or under s. 97.41.

(dm) A local health department granted agent status under this subsection may contract with the department of ~~health services~~ for the department of ~~health services~~ to collect fees and issue permits licenses. The department shall collect from the local health department the actual and reasonable cost of providing the services.

(e) The department shall establish state fees for its costs related to setting standards under this subchapter and s. ~~254.47~~ 97.67 and monitoring and evaluating the activities of, and providing education and training to, agent local health departments. Agent local health departments shall include the state fees in the permit license fees established under par. (d), collect the state fees and reimburse the department for the state fees collected. For each type of establishment specified in par. (am), the state fee may not exceed 20% of the permit license fees charged under ss. ~~254.47~~ 97.67 and ~~254.68~~ 97.613.

(f) If, under this subsection, a local health department becomes an agent or its agent status is discontinued during a ~~permittee's permit~~ licensee's license year, the ~~department of health services~~ and the local health department shall divide any ~~permit license~~ fee paid by the ~~permittee licensee~~ for that ~~permit license~~ year according to the proportions of the ~~permit license~~ year occurring before and after the local health department's agent status is granted or discontinued. No additional fee may be required during the ~~permit license~~ year due to the change in agent status.

(g) A village, city or county may adopt ordinances and a local board of health may adopt regulations regarding the ~~permittees~~ licensees and premises for which the local health department is the designated agent under this subsection, which are stricter than this subchapter, s. ~~254.47~~ 97.67, or rules promulgated by the ~~department of health services~~ under this subchapter or s. ~~254.47~~ 97.67. No such provision may conflict with this subchapter or with department rules.

(h) This subsection does not limit the authority of the department to inspect hotels, tourist rooming houses, bed and breakfast establishments, or vending machine commissaries in jurisdictional areas of local health departments where agent status is granted if it inspects in response to an emergency, for the purpose of monitoring and evaluating the local health department's licensing, inspection and enforcement program or at the request of the local health department.

(j) 1. A ~~permit license~~ fee established by a local health department granted agent status exceeds the reasonable costs described under par. (d).

2. The person issuing, refusing to issue, suspending or revoking a ~~permit license~~ or making an investigation or inspection of the appellant has a financial interest in a regulated establishment specified in par. (am) which may interfere with his or her ability to properly take that action.

**SECTION 122.** 254.70 of the statutes is renumbered 97.617 and amended to read:

**97.617 Application; lodging and vending.** (1) An applicant for a permit license under this subchapter shall complete the application prepared by the department or the local health department granted agent status under s. ~~254.69~~ 97.615 (2) and provide, in writing, any additional information the department of ~~health services~~ agriculture, trade and consumer protection or local health department issuing the permit license requires.

(2) Upon receipt of an application for a vending machine operator permit license, the department may cause an investigation to be made of the applicant's commissary, servicing and transport facilities, if any, and representative machines and machine locations. The operator shall maintain at his or her place of business within this state a list of all vending machines operated by him or her and their location. This information shall be kept current and shall be made available to the department upon request. The operator shall notify the department of any change in operations involving new types of vending machines or conversion of existing machines to dispense products other than those for which such machine was originally designed and constructed.

**SECTION 123.** 254.71 of the statutes is renumbered 97.33, and 97.33 (2), (3), (5) and (6) (c), as renumbered, are amended to read:

97.33 (2) Except as provided in s. ~~250.041~~ 93.135, the department may issue a certificate of food protection practices to an individual who satisfactorily completes an approved examination or who has achieved comparable compliance.

(3) Each certificate is valid for 5 years from the date of issuance and, except as provided in s. ~~250.041~~ 93.135, may be renewed by the certificate holder if he or she satisfactorily completes an approved examination.

(5) The department shall conduct evaluations of the effect that the food protection practices certification program has on compliance by restaurants with requirements established under s. ~~254.74 (1)~~ 97.30 (5).

(6) (c) Establishing procedures for issuance, except as provided in s. ~~250.041~~ 93.135, of certificates of food protection practices, including application submittal and review.

**SECTION 124.** 254.715 of the statutes is renumbered 97.305.

**SECTION 125.** 254.72 of the statutes is renumbered 97.62 and amended to read:

**97.62 Health and safety; standard.** Every hotel, tourist rooming house, bed and breakfast establishment, ~~restaurant, temporary restaurant,~~ vending machine commissary and vending machine shall be operated and maintained with a strict regard to the public health and safety and in conformity with this subchapter and the rules and orders of the department.

**SECTION 126.** 254.73 of the statutes is renumbered 97.623.

**SECTION 127.** 254.74 of the statutes is renumbered 97.625, and 97.625 (1) (a), (am), (b), (d) and (e), (1p) (a) (intro.) and 2. and (b) and (2), as renumbered, are amended to read:

97.625 (1) (a) Administer and enforce this subchapter, the rules promulgated under this subchapter and any other rules or laws relating to the public health and safety in hotels, tourist rooming houses, bed and breakfast establishments, ~~restaurants,~~ vending machine commissaries, vending machines and vending machine locations.

(am) Promulgate rules, in consultation with the department of safety and professional services, under which the department of health services shall conduct regular inspections of sealed combustion units, as required under s. 101.149 (5) (c), for carbon monoxide emissions in hotels, tourist rooming houses, and bed and breakfast establishments. The rules shall specify conditions under which it may issue orders as specified under s. 101.149 (8) (a). The rules may not require the department of health services to inspect sealed combustion units during the period in which the sealed combustion units are covered by a manufacturer's warranty against defects.

(b) Require hotels, tourist rooming houses, ~~restaurants~~, vending machine operators and vending machine commissaries to file reports and information the department deems necessary.

(d) Prescribe rules and fix standards, including rules covering the general sanitation and cleanliness of premises regulated under this subchapter, the proper handling and storing of food on such premises, the construction and sanitary condition of the premises and equipment to be used and the location and servicing of equipment. The rules relating to the public health and safety in bed and breakfast establishments may not be stricter than is reasonable for the operation of a bed and breakfast establishment, shall be less stringent than rules relating to ~~other establishments~~ hotels, tourist rooming houses, and vending machine commissaries regulated by this subchapter and may not require 2nd exits for a bed and breakfast establishment on a floor above the first level.

(e) Hold a hearing under ch. 227 if, in lieu of proceeding under ch. 68, any interested person in the jurisdictional area of a local health department not granted agent status under s. ~~254.69~~ 97.615 appeals to the department of ~~health services~~



alleging that a permit license fee for a hotel, restaurant, ~~temporary restaurant,~~ tourist rooming house, campground, camping resort, recreational or educational camp or public swimming pool exceeds the permit license issuer's reasonable costs of issuing permits licenses to, making investigations and inspections of, and providing education, training and technical assistance to the establishment.

**(1p)** (a) The department may grant the holder of a permit license for a bed and breakfast establishment a waiver from the requirement specified under s. ~~254.61 (1)~~ ~~(b)~~ 97.01 (1g) (b) to allow the holder of a permit license for a bed and breakfast establishment to serve breakfast to other tourists or transients if all of the following conditions are met:

2. The other tourists or transients are provided sleeping accommodations in a tourist rooming house for which the permit license holder for the bed and breakfast establishment is the permit license holder.

(b) A waiver granted under par. (a) is valid for the period of validity of a permit license that is issued for the bed and breakfast establishment under s. ~~254.64~~ 97.605 (1) (b).

**(2)** A local health department designated as an agent under s. ~~254.69 (2)~~ 97.615 (2) may exercise the powers specified in sub. (1) (a) to (d), consistent with s. ~~254.69~~ 97.615 (2) (g).

**SECTION 128.** 254.76 of the statutes is renumbered 97.627.

**SECTION 129.** 254.78 of the statutes is renumbered 254.04 and amended to read:

**254.04 Authority of department of safety and professional services.**

Nothing in this chapter ~~shall affect~~ affects the authority of the department of safety

and professional services relative to places of employment, elevators, boilers, fire escapes, fire protection, or the construction of public buildings.

**SECTION 130.** 254.79 of the statutes is renumbered 254.05.

**SECTION 131.** 254.80 of the statutes is renumbered 97.633.

**SECTION 132.** 254.81 of the statutes is renumbered 97.634.

**SECTION 133.** 254.82 of the statutes is renumbered 97.635.

**SECTION 134.** 254.83 of the statutes is renumbered 97.638.

**SECTION 135.** 254.84 (title), (1), (2), (3) and (4) of the statutes are renumbered 97.639 (title), (1), (2), (3) and (4).

**SECTION 136.** 254.84 (5) of the statutes is renumbered 97.639 (5) and amended to read:

97.639 (5) CONSTRUCTION. Nothing in this section may be construed to require establishments motels, motor courts, tourist cabins, or like accommodations to have outdoor or outside signs. This section shall be liberally construed so as to prevent untrue, misleading, false, or fraudulent representations relating to rates placed on outdoor or outside signs of the establishments.

**SECTION 137.** 254.84 (6) of the statutes is repealed.

**SECTION 138.** 254.85 of the statutes is renumbered 97.65, and 97.65 (1), (2), (3) and (4), as renumbered, are amended to read:

**97.65 Enforcement. (1)** The department may enter, at reasonable hours, any premises for which a permit license is required under this subchapter or s. ~~254.47~~ 97.67 to inspect the premises, secure samples or specimens, examine and copy relevant documents and records or obtain photographic or other evidence needed to enforce this subchapter or s. ~~254.47~~ 97.67. If samples of food are taken, the department shall pay or offer to pay the market value of the samples taken. The

department shall examine the samples and specimens secured and shall conduct other inspections and examinations needed to determine whether there is a violation of this subchapter, s. ~~254.47~~ 97.67 or rules promulgated by the department under this subchapter or s. ~~254.47~~ 97.67.

(2) (a) Whenever, as a result of an examination, the department has reasonable cause to believe that any examined food constitutes, or that any construction, sanitary condition, operation or method of operation of the premises or equipment used on the premises creates, an immediate danger to health, the administrator of the division of the department responsible for public health may issue a temporary order and cause it to be delivered to the ~~permittee~~ licensee, or to the owner or custodian of the food, or to both. The order may prohibit the sale or movement of the food for any purpose, prohibit the continued operation or method of operation of specific equipment, require the premises to cease other operations or methods of operation which create the immediate danger to health, or set forth any combination of these requirements. The administrator may order the cessation of all operations authorized by the ~~permit~~ license only if a more limited order does not remove the immediate danger to health. Except as provided in par. (c), no temporary order is effective for longer than 14 days from the time of its delivery, but a temporary order may be reissued for one additional 14-day period, if necessary to complete the analysis or examination of samples, specimens or other evidence.

(b) No food described in a temporary order issued and delivered under par. (a) may be sold or moved and no operation or method of operation prohibited by the temporary order may be resumed without the approval of the department, until the order has terminated or the time period specified in par. (a) has run out, whichever occurs first. If the department, upon completed analysis and examination,

determines that the food, construction, sanitary condition, operation or method of operation of the premises or equipment does not constitute an immediate danger to health, the ~~permittee~~ licensee, owner, or custodian of the food or premises shall be promptly notified in writing and the temporary order shall terminate upon his or her receipt of the written notice.

(c) If the analysis or examination shows that the food, construction, sanitary condition, operation or method of operation of the premises or equipment constitutes an immediate danger to health, the ~~permittee~~ licensee, owner, or custodian shall be notified within the effective period of the temporary order issued under par. (a). Upon receipt of the notice, the temporary order remains in effect until a final decision is issued under sub. (3), and no food described in the temporary order may be sold or moved and no operation or method of operation prohibited by the order may be resumed without the approval of the department.

**(3)** A notice issued under sub. (2) (c) shall be accompanied by a statement which informs the ~~permittee~~ licensee, owner, or custodian that he or she has a right to request a hearing in writing within 15 days after issuance of the notice. The department shall hold a hearing no later than 15 days after the department receives the written request for a hearing, unless both parties agree to a later date. A final decision shall be issued under s. 227.47 within 10 days of the conclusion of the hearing. The decision may order the destruction of food, the diversion of food to uses which do not pose a danger to health, the modification of food so that it does not create a danger to health, changes to or replacement of equipment or construction, other changes in or cessations of any operation or method of operation of the equipment or premises, or any combination of these actions necessary to remove the danger to health. The decision may order the cessation of all operations authorized by the

~~permit license~~ only if a more limited order will not remove the immediate danger to health.

(4) A proceeding under this section, or the issuance of a ~~permit license~~ for the premises after notification of procedures under this section, does not constitute a waiver by the department of its authority to rely on a violation of this subchapter, s. ~~254.47 97.67~~, or any rule promulgated under this subchapter or s. ~~254.47 97.67~~ as the basis for any subsequent suspension or revocation of the ~~permit license~~ or any other enforcement action arising out of the violation.

**SECTION 139.** 254.86 of the statutes is renumbered 97.71 and amended to read:

**97.71 Suspension or revocation of ~~permit license~~.** The department or a local health department designated as an agent under s. ~~254.69 97.615 (2) or 97.41 (2)~~ may refuse or withhold issuance of a ~~permit license under this chapter~~ or may suspend or revoke a ~~permit license~~ for violation of this ~~subchapter chapter~~ or any rule or order of the department of ~~health services~~, ordinance of the village, city or county or regulation of the local board of health.

**SECTION 140.** 254.87 of the statutes is repealed.

**SECTION 141.** 254.88 of the statutes is repealed.

**SECTION 142.** 321.60 (1) (a) 4. of the statutes, as affected by 2015 Wisconsin Act .... (this act), is amended to read:

321.60 (1) (a) 4. A license, certificate of approval, provisional license, conditional license, certification, certification card, registration, permit, training permit, or approval specified in s. 49.45 (2) (a) 11., 51.42 (7) (b) 11., 51.421 (3) (a), ~~97.33 (2), 97.605 (1) (a) or (b), 254.176, 254.178 (2) (a), 254.20 (2), (3), or (4), 254.64 (1) (a) or (b), 254.71 (2), 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f), or 343.305~~

(6) (a) or a ~~permit~~ license for the operation of a campground specified in s. ~~254.47 (1)~~ 97.67 (1).

\*\*\*\*NOTE: This is reconciled s. 321.60 (1) (a) 4. This SECTION has been affected by drafts with the following LRB numbers: -0602/P3 and -0807/P5.

**SECTION 143.** 350.01 (9m) (a) of the statutes is amended to read:

350.01 (9m) (a) A bed and breakfast establishment, as defined in s. ~~254.61 (1)~~ 97.01 (1g).

**SECTION 144.** 350.01 (9m) (b) of the statutes is amended to read:

350.01 (9m) (b) A hotel, as defined in s. ~~254.61 (3)~~ 97.01 (7).

**SECTION 145.** 350.01 (9m) (c) of the statutes is amended to read:

350.01 (9m) (c) A tourist rooming house, as defined in s. ~~254.61 (6)~~ 97.01 (15k).

**SECTION 146.** 941.237 (1) (dm) of the statutes is amended to read:

941.237 (1) (dm) “Hotel” has the meaning given in s. ~~254.61 (3)~~ 97.01 (7).

**SECTION 9118. Nonstatutory provisions; Health Services.**

(1) TRANSFER OF FOOD SAFETY, RECREATIONAL FACILITIES, AND LODGING.

(a) *Assets and liabilities.* The assets and liabilities of the department of health services that the secretary of administration determines to be primarily related to food, lodging, and recreation oversight under sections 252.18, 254.47, and 254.61 to 254.87, 2013 stats., become the assets and liabilities of the department of agriculture, trade and consumer protection on the effective date of this paragraph.

(b) *Employee transfer.* All incumbent employees who hold positions in the department of health services performing duties that the secretary of administration determines to be primarily related to sections 252.18, 254.47, and 254.61 to 254.87, 2013 stats., and the full-time equivalent positions held by those employees, are

transferred to the department of agriculture, trade and consumer protection on the effective date of this paragraph.

(c) *Employee status.* Employees transferred under paragraph (b) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of agriculture, trade and consumer protection that they enjoyed in the department of health services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(d) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of health services that the secretary of administration determines to be primarily related to food, lodging, and recreation oversight under sections 252.18, 254.47, and 254.61 to 254.87, 2013 stats., is transferred to the department of agriculture, trade and consumer protection.

(e) *Contracts.* All contracts that were entered into by the department of health services that the secretary of administration determines to be primarily related to food, lodging, and recreation oversight under sections 252.18, 254.47, and 254.61 to 254.87, 2013 stats., and that are in effect on the effective date of this paragraph remain in effect and are transferred to the department of agriculture, trade and consumer protection. The department of agriculture, trade and consumer protection shall carry out any obligations under such a contract until the contract is modified or rescinded by the department of agriculture, trade and consumer protection to the extent allowed under the contract.

(f) *Rules and orders.* All rules in chapters DHS 172, 175, 178, 192, 195, 196, 196 appendix, 197, and 198, Wisconsin administrative code, and all other rules

promulgated, and all orders issued, by the department of health services that the secretary of administration determines to be primarily related to sections 252.18, 254.47, and 254.61 to 254.87, 2013 stats., and that are in effect on the effective date of this paragraph shall remain in effect until their specified expiration date or until amended or repealed by the department of agriculture, trade and consumer protection.

(g) *Pending matters.* Any matter pending with the department of health services on the effective date of this paragraph that the secretary of administration determines to be related to food, lodging, and recreation oversight under section 252.18 or 254.47, or sections 254.61 to 254.87, 2013 stats., is transferred to the department of agriculture, trade and consumer protection, and all materials submitted to or actions taken by the department of health services with respect to the pending matter are considered as having been submitted to or taken by the department of agriculture, trade and consumer protection.

**SECTION 9418. Effective dates; Health Services.**

(1) TRANSFER OF FOOD SAFETY, RECREATIONAL FACILITIES, AND LODGING. The treatment of sections 20.115 (1) (gb), 20.435 (1) (gm) (by SECTION 2), 29.541 (1) (a) (intro.), 45.44 (1) (a) 14. (by SECTION 4), 49.857 (1) (d) 4. (by SECTION 5), 66.0417 (1), (2), (3), and (4), 66.0435 (9), 66.0436 (1) and (2), 73.0301 (1) (d) 3. (by SECTION 13), 76.80 (3), 87.305 (1) (intro.), 93.06 (14), 93.07 (24) (e), 93.135 (1) (ng) and (nt), chapter 97 (title), subchapter I (title) of chapter 97, 97.01 (1), subchapter II (title) of chapter 97, 97.12 (1) and (5), 97.18 (5m), 97.20 (2) (e) 2., 97.25 (3), 97.29 (1) (c), (g) 3., and (h), 97.30 (1) (c), (2) (b) 1. c. and (c), (3m) (intro.), (a) (intro.), (b) (intro.), (c) (intro.), (cm), and (d), 97.41 (1m) and (4) (a), 97.42 (3) (em), subchapter III (title) of chapter 97, subchapter IV (title) of chapter 97, subchapter V (title) of chapter 97, 97.70, 97.703,



100.36, 101.05 (2), 101.123 (1) (bn) 1., 2., and 3. and (f), 101.128 (1) (c) and (e), 101.149 (1) (ag) and (cm), (5) (c), and (8) (a) (by SECTION 61), 101.63 (1) (intro.), 101.647 (1) (am), 101.935 (2) (e) (by SECTION 64), 106.52 (1) (d) 1., 2., and 3., 108.227 (1) (e) 3. (by SECTION 68), 125.02 (3r), (7), and (18), 125.06 (12), 125.07 (3) (a) 6. and 6m., 125.29 (6), 125.295 (2) (a) 3. and (b), 125.68 (5), 250.041 (1) (f), 252.02 (4), 252.18, 254.02 (3) (a), 254.115 (1) (c), 254.47 (title), (1), (1g), (1m), (2), (2m), (3), (4), (5), (5m), (6), and (7), subchapter VII (title) of chapter 254, 254.61 (title), (intro.), (1), (2), (3), (3m), (4), (5), (5m), (5r), (6), (7), (8), (9), and (10), 254.62, 254.63, 254.64, 254.65, 254.66, 254.67, 254.68, 254.69, 254.70, 254.71, 254.715, 254.72, 254.73, 254.74, 254.76, 254.78, 254.79, 254.80, 254.81, 254.82, 254.83, 254.84 (title), (1), (2), (3), (4), (5), and (6), 254.85, 254.86, 254.87, 254.88, 321.60 (1) (a) 4. (by SECTION 142), 350.01 (9m) (a), (b), and (c), and 941.237 (1) (dm) of the statutes, the repeal of section 250.041 (1) (e) of the statutes, and SECTION 9118 (1) of this act take effect on July 1, 2016.

**(END)**