



**WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO**

2013 Assembly Bill 782	Assembly Amendment 1
<i>Memo published: March 12, 2014</i>	<i>Contact: Anna Henning, Staff Attorney (266-0292)</i>

2013 Assembly Bill 782 relates to the construction of public buildings and buildings that are places of employment.

2013 ASSEMBLY BILL 782

Assembly Bill 782 does the following:

- Creates a 10-member Building Code Council to make recommendations to the Department of Safety and Professional Services (DSPS) regarding the department's rules relating to constructing, altering, adding to, repairing, and maintaining public buildings and buildings that are places of employment.
- Creates a general preemption prohibiting local units of government from enacting or enforcing ordinances that do not conform to standards promulgated by DSPS relating to constructing, altering, adding to, repairing, and maintaining public buildings and buildings that are places of employment.
- Creates exceptions to the above preemption for certain ordinances enacted before May 1, 2013 that relate to fire detection, prevention, or suppression components of buildings, and for ordinances that establish a property maintenance code.
- Requires DSPS to accept certain reviews and determinations made by cities of the second class that have been certified by the department to perform such reviews.
- Authorizes DSPS to grant a variance to a standard relating to constructing, altering, adding to, repairing, and maintaining public buildings and buildings that are places of employment if the department finds that the variance will impose an equivalent standard that meets the intent of the standard promulgated by the department.

- Requires that an inspection performed to determine compliance with relevant DSPS rules generally must be performed by a person who has been certified by the department, except with respect to certain types of fire inspections.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 creates an exception to the general preemption prohibiting local units of government from enacting or enforcing ordinances that do not conform to standards promulgated by DSPS relating to constructing, altering, adding to, repairing, and maintaining public buildings and buildings that are places of employment. Specifically, the amendment authorizes cities of the first or second class to enact ordinances that relate to fire suppression and require buildings to be altered to comply with the standards promulgated by DSPS.

BILL HISTORY

Representative Knudson offered Assembly Amendment 1 to Assembly Bill 782 on March 5, 2014. On March 6, 2014, the Assembly Committee on State Affairs and Government Operations voted to recommend adoption of the amendment on a vote of Ayes, 13; Noes, 0; and Absent, 3. On the same day, the committee voted to recommend passage of the bill, as amended, on a vote of Ayes, 10; Noes, 3; and Absent, 3.

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