

State of Misconsin 1995 - 1996 LEGISLATURE

## **1995 SENATE BILL 341**

September 19, 1995 – Introduced by COMMITTEE FOR REVIEW OFADMINISTRATIVE RULES. Referred to Committee on Human Resources, Labor, Tourism, Veterans and Military Affairs.

1 AN ACT to renumber and amend 101.13 (1m); and to create 101.13 (1m) (b) of

2 the statutes; **relating to:** prohibiting the department of industry, labor and

3 human relations from promulgating a rule requiring the provision of unisex

4 toilet rooms in any building.

## Analysis by the Legislative Reference Bureau

Under current law, the department of industry, labor and human relations (DILHR) is required to promulgate rules that provide minimum requirements to facilitate the use of public buildings and places of employment by physically disabled persons. This bill prohibits DILHR from promulgating a rule requiring the provision of unisex toilet rooms in any building.

This bill is introduced as required by s. 227.26 (2) (f), stats., in support of the action of the joint committee for review of administrative rules in suspending section ILHR 69.18 (4) (b), Wis. adm. code, a rule of DILHR, on August 17, 1995. The suspended rule provided that at least one unisex toilet room must be provided in the following types of new building construction:

- 1. All shopping malls or shopping centers.
- 2. Rest area buildings located off of major highways.
- 3. Schools.
- 4. Restaurants with a seating capacity of 200 or more people.

5. Large assembly areas such as stadiums and theaters with a seating capacity of 400 or more people.

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

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

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1	SECTION 1. 101.13 (1m) of the statutes is renumbered 101.13 (1m) (a) and
2	amended to read:
3	101.13 (1m) (a) The Except as provided in par. (b), the department shall by rule
4	provide minimum requirements to facilitate the use of public buildings and places
5	of employment by physically disabled persons where traffic might reasonably be
6	expected by such persons.
7	<b>SECTION 2.</b> 101.13 (1m) (b) of the statutes is created to read:
8	101.13 (1m) (b) The department may not promulgate a rule requiring that a
9	unisex toilet room be provided in any public building or place of employment.
10	(END)