

1999 ASSEMBLY BILL 606

December 1, 1999 – Introduced by Representatives SPILLNER, PORTER, REYNOLDS, WARD, HUTCHISON, SERATTI, OLSEN, HUNDERTMARK, GOETSCH, GUNDERSON, JESKEWITZ, KAUFERT, KELSO, KLUSMAN, MUSSER, NASS, SKINDRUD, STONE and F. LASEE, cosponsored by Senators BAUMGART, BURKE, DECKER, HUELSMAN, ROSENZWEIG, RUDE and BRESKE. Referred to Committee on Tourism and Recreation.

1 AN ACT to renumber and amend 254.61 (1) (f); and to create 254.61 (1) (f) 2. 2 of the statutes; relating to: expanding the definition of "bed and breakfast 3 establishment".

Analysis by the Legislative Reference Bureau

Under current law, "bed and breakfast establishment" is defined for the purposes of determining the applicability of building code requirements and laws regulating environmental health, alcohol beverages and rental discrimination. Establishments that provide food and lodging beyond the scope of the definition of "bed and breakfast establishment" are subject to regulation as hotels, restaurants and other similar establishments, which, generally, are subject to the commercial building code and commercial restaurant regulations. Currently, the definition of "bed and breakfast establishment" encompasses any place of lodging that provides eight or fewer rooms for rent to no more than a total of 20 tourists or transients; provides no meals other than breakfast and provides the breakfast only to the renters; is the owner's personal residence; is occupied by the owner at the time of rental; and was originally built and occupied as a single-family residence or, before use as a place of lodging, was converted to use and occupied as a single-family residence. The last requirement of the definition is that the place must have had completed, before May 11, 1990, any structural additions to the dimensions of the original structure, including by renovation, except that a structural addition, including a renovation, may, after that date, be made within the dimensions of the original structure. Biennial permits for the the operation of bed and breakfast establishments are issued by the department of health and family services.

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This bill changes the last requirement of the definition of "bed and breakfast establishment" to also provide for a structural addition to a structure that was originally constructed at least 50 years before an application for a permit to operate a bed and breakfast is made and for which no use other than as a bed and breakfast establishment is proposed, if the structural addition complies with rules of the department of commerce establishing standards for the construction and inspection of one-family and two-family dwellings (the Uniform Dwelling Code).

For further information see the *state and local* 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:

1 **SECTION 1.** 254.61 (1) (f) of the statutes is renumbered 254.61 (1) (f) (intro.) and

- 2 amended to read:
- 3 254.61 (1) (f) (intro.) Has had completed, before May 11, 1990, any structural
- 4 additions to the dimensions of the original structure, including by renovation, except
- 5 that a this limit does not apply to any of the following:
- 6 <u>1. A structural addition, including a renovation, made</u> to the <u>a</u> structure may,
- 7 after May 11, 1990, be made within the dimensions of the original structure.
- 8 **SECTION 2.** 254.61 (1) (f) 2. of the statutes is created to read:
- 9 254.61 (1) (f) 2. A structural addition, made to a structure that was originally
- 10 constructed at least 50 years before application for a permit under s. 254.64 (1) (b)
- 11 is made and for which no use other than as a bed and breakfast establishment is
- 12 proposed, that complies with the rules under s. 101.63 (1).
- 13

(END)