



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-6532/P5  
KP&ZDW:skw

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

1     **AN ACT** *to amend* 145.02 (3) (g); and *to create* 101.12 (1m), 101.19 (1g) (m) and  
2             145.02 (6) of the statutes; **relating to:** procedures for reviewing commercial  
3             building plans.

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***Analysis by the Legislative Reference Bureau***

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

Because this bill may increase or decrease, directly or indirectly, the cost of the development, construction, financing, purchasing, sale, ownership, or availability of housing in this state, the Department of Administration, as required by law, will prepare a report to be printed as an appendix to this bill.

For further information see the state 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:***

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council Study Committee on the Commercial Building Permitting Process. To create more certainty for building owners in the timeline for examination of commercial building plans by the Department of Safety and Professional Services (DSPS), the bill: (1) allows an owner to schedule a future date for examination of plans, in addition to the option of receiving the next available appointment; (2) allows an owner to schedule a preliminary meeting with DSPS to facilitate the examination of plans; and

(3) requires DSPS to examine certain smaller plumbing plans more expeditiously than is required under current administrative rules.

Under current law, DSPS examines essential drawings, calculations, and specifications (“plans”) for public buildings and places of employment (“commercial buildings”) before construction on those buildings may begin. Testimony before the committee indicated that DSPS currently schedules appointments for commercial building plan examination in the order in which finalized plans are received, but previously had allowed an owner to schedule a future appointment for examination of plans that would be finalized and submitted at some point before the appointment.

This bill allows an owner either to submit finalized commercial building plans to DSPS and schedule the next available appointment for examination of those plans, or to schedule a future appointment and submit the finalized plans for that appointment no later than three business days before the appointment. In either event, the full examination fee is due when an appointment is scheduled. The bill requires DSPS to refund an examination fee if an owner cancels an appointment at least 20 business days before the appointment. If the person cancels an appointment within 20 business days of the appointment, DSPS must refund only that part of a plan examination fee above \$5,000.

The bill allows an owner to request a preliminary meeting with DSPS to facilitate the examination of commercial building plans. The bill authorizes DSPS to establish an hourly fee for a preliminary meeting by rule, but may not charge a fee for the first 15 minutes of a preliminary meeting. The bill retains a requirement under current law that such fees must, as closely as possible, equal the cost of providing the services DSPS provides to conduct commercial plan examination.

The bill also requires DSPS to allow an owner, when submitting commercial building plans for examination, to identify for DSPS any previously approved plans that are substantially similar.

Finally, the bill creates an expedited timeline for examination of certain plumbing plans. Under DSPS’s current administrative rules, plumbing plans and specifications for a new installation, addition, or alteration involving less than 16 plumbing fixtures do not have to be submitted to DSPS for examination. Those administrative rules generally require DSPS to examine other plumbing plans within 15 business days. The bill requires DSPS to examine plumbing plans and specifications for a plumbing installation, addition, or alteration involving between 16 and 25 plumbing fixtures within 10 business days, provided that the plans and specifications are prepared by a person holding a proper credential, and provided that the building with which the plumbing installation, addition, or alteration is connected is not classified into one of certain specified occupancy groups.

- 1           **SECTION 1.** 101.12 (1m) of the statutes is created to read:
- 2           101.12 **(1m)** (a) For an examination of essential drawings, calculations, and
- 3 specifications by the department under this section, an owner may select to have the
- 4 examination appointment scheduled at one of the following times:
- 5           1. If the owner submits complete essential drawings, calculations, and
- 6 specifications and pays all plan examination fees at the time of scheduling, the next
- 7 available appointment.

1           2. If the owner pays all plan examination fees at the time of scheduling, a single  
2           date in the future.

3           (b) 1. The department shall schedule an examination appointment for the time  
4           selected by an owner under par. (a).

5           2. Upon request of an owner, the department shall arrange a preliminary  
6           meeting to facilitate examination of essential drawings, calculations, and  
7           specifications between the owner and an examiner who performs examinations for  
8           the department.

9           (c) 1. If an owner selects a single date in the future for an examination  
10          appointment under par. (a) 2., the owner shall submit complete essential drawings,  
11          calculations, and specifications to the department at least 3 business days before the  
12          date of the examination appointment.

13          2. a. If an owner cancels an examination appointment at least 20 business days  
14          before the appointment, the department shall refund to the owner all of the  
15          examination fees paid.

16          b. Except as provided in subd. 2. c., the department may not refund  
17          examination fees paid by an owner if the owner cancels the examination  
18          appointment within 20 days of the appointment.

19          c. If an owner pays more than \$5,000 for an examination fee and cancels the  
20          examination appointment within 20 business days of the appointment, the  
21          department shall refund to the owner the difference between the examination fee  
22          paid by the owner and \$5,000.

23          (d) The department shall provide on the form for submitting to the department  
24          essential drawings, calculations, and specifications under this section a place for an

1 owner to identify any previously approved essential drawings, calculations, and  
2 specifications that are substantially similar to those submitted by the owner.

3 **SECTION 2.** 101.19 (1g) (m) of the statutes is created to read:

4 101.19 (1g) (m) A preliminary meeting described in s. 101.12 (1m) (b) 2. The  
5 department may not charge a fee for the first 15 minutes of a preliminary meeting  
6 and shall establish an hourly rate for the duration of a preliminary meeting in excess  
7 of the first 15 minutes.

8 **SECTION 3.** 145.02 (3) (g) of the statutes is amended to read:

9 145.02 (3) (g) By rule, fix fees for the examination and approval of plans of  
10 plumbing systems and collect the same. The department may not establish an  
11 additional fee for expedited review of plans under sub. (6).

12 **SECTION 4.** 145.02 (6) of the statutes is created to read:

13 145.02 (6) The department shall examine within 10 business days of  
14 submission plumbing plans and specifications for a plumbing installation, addition,  
15 or alteration to which all of the following apply:

16 (a) The plumbing installation, addition, or alteration involves at least 16 but  
17 no more than 25 plumbing fixtures.

18 (b) No portion of the building or structure with which the plumbing  
19 installation, addition, or alteration is connected is classified by the department,  
20 under rules promulgated by the department, into any of the following occupancy  
21 groups:

- 22 1. Assembly Group A.
- 23 2. Educational Group E.
- 24 3. High hazard Group H.
- 25 4. Institutional Group I.

1           5. Residential Group R.

2           (c) The plumbing plans and specifications are prepared by any of the following:

3           1. A person who is registered as an architect or professional engineer under ch.  
4 443 and who signs, dates, and seals or stamps the plumbing plans and specifications.

5           2. A person who holds a designer permit under s. 443.07 in the field of plumbing  
6 systems and who signs, dates, and seals or stamps the plumbing plans and  
7 specifications.

8           3. A licensed master plumber, licensed master plumber (restricted), or utility  
9 contractor who signs and dates the plumbing plans and specifications.

10           **SECTION 5. Initial applicability.**

11           (1) The treatment of s. 101.12 (1m) first applies to essential drawings,  
12 calculations, and specifications submitted for examination under s. 101.12 on the  
13 effective date of this subsection.

14           (2) The treatment of s. 145.02 (6) first applies to plumbing plans and  
15 specifications submitted for examination under ch. 145 on the effective date of this  
16 subsection.

17           **SECTION 6. Effective date.**

18           (1) This act takes effect on the first day of the 7th month beginning after  
19 publication.

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(END)