
Wisconsin Legislative Council

ACT MEMO



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2019 Wisconsin Act 130
[2019 Assembly Bill 435]

**Regulation of Recreational and
Educational Camps**

BACKGROUND

State law requires that the Department of Safety and Professional Services (DPS) promulgate rules for the design, construction, maintenance, and inspection of public buildings and places of employment, collectively called the commercial building code. Under prior law, recreational and educational camps were subject to the same construction and inspection standards under the commercial building code that generally apply to public buildings and places of employment.

State law also requires that DPS promulgate rules to create a state electrical wiring code and a state plumbing code. Prior law did not explicitly permit DPS to create separate standards for or to give special consideration to recreational and educational camps.

2019 WISCONSIN ACT 130

2019 Wisconsin Act 130 defines “recreational and educational camps”¹ and requires DPS to revise the commercial building code to establish separate standards for the construction and inspection of recreational and educational camps. The standards must take into account the uses, including seasonal use, that are unique to recreational and educational camps.

The act also requires that the standards established under the electrical wiring code and plumbing code take into account the uses, including seasonal use, that are unique to recreational and educational camps.

Finally, the act provides that DPS must promulgate emergency rules to implement the act and that those emergency rules shall remain in effect until July 1, 2021, or until the date on which the permanent rules take effect, whichever is sooner.

Effective date: March 5, 2020

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¹ Under the act, a recreational and educational camp is a premises, including temporary and permanent structures, that is operated as an overnight living quarters where both food and lodging or facilities for food and lodging are provided for children or adults or both children and adults for a planned program of recreation or education, and that is offered free of charge or for payment of a fee by a person or by the state or a local unit of government. The definition does not include an overnight planned program of recreation or education for: (a) adults or families at an establishment holding a current retail food establishment license or a lodging license issued by the Department of Agriculture, Trade and Consumer Protection (DATCP); (b) less than four consecutive nights and without permanent facilities for food and lodging; or (c) credit at an accredited academic institution of higher education. The definition also does not include a tournament, competition, visitation, recruitment, campus conference, or professional sports team training camp. The definition created under the act is identical to the current definition of “recreational and educational camp” under the DATCP rule regarding the regulation of recreational and educational camps, ch. ATCP 78, Wis. Adm. Code.