



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4706/1
MED&KP:cde

2021 ASSEMBLY BILL 1126

March 10, 2022 - Introduced by Representatives SINICKI, NEUBAUER, HAYWOOD, SPREITZER, OHNSTAD, SHANKLAND, BOWEN, DOYLE, SHELTON, ANDRACA, DRAKE, EMERSON, SNODGRASS, CABRERA, STUBBS, POPE, HONG, CONLEY, SUBECK, VRUWINK, MILROY and HEBL, cosponsored by Senators WIRCH, RINGHAND, JOHNSON, BEWLEY, AGARD, ERPENBACH, CARPENTER, ROYS and LARSON. Referred to Committee on Rules.

1 **AN ACT** *to repeal* 101.1472; and *to create* 101.147 and 101.19 (1g) (m) of the
2 statutes; **relating to:** construction contractor registration and granting
3 rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires most persons who hold themselves out or act as a construction contractor to be registered by the Department of Safety and Professional Services. DSPS may directly assess a forfeiture by issuing an order against any person who fails to register as required under the bill. The registration requirement does not apply to a person who engages in construction on his or her own property, to a state agency or local governmental unit, or to a person who engages in construction in the course of his or her employment by a state agency or local governmental unit.

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:

4 **SECTION 1.** 101.147 of the statutes is created to read:
5 **101.147 Construction contractor registration.** (1) (a) Except as provided
6 in par. (b), no person may hold himself or herself out or act as a construction

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1 contractor unless that person is registered as a construction contractor by the
2 department.

3 (b) The registration requirement under par. (a) does not apply to any of the
4 following:

5 1. A person who engages in construction on property owned or leased by that
6 person.

7 2. A state agency or local governmental unit.

8 3. A person who engages in construction in the course of his or her employment
9 by a state agency or local governmental unit.

10 **(2)** An application for a registration under this section shall require the
11 applicant to submit all of the following:

12 (a) The applicant's name, contact information, and physical address for the
13 business principal.

14 (b) If the applicant is a corporation, limited liability company, limited
15 partnership, or limited liability partnership and is not organized under ch. 178, 179,
16 180, 181, or 183, evidence that the applicant is registered, or has obtained a
17 certificate of authority or registration, to transact business in this state under s.
18 178.1003, 179.87, 180.1503, 181.1503, or 183.1004, as applicable.

19 (c) Evidence of compliance with the requirements under ss. 108.17 to 108.205.

20 (d) Evidence of compliance with s. 102.28 (2).

21 (e) An acknowledgment of worker classification laws and penalties to ensure
22 that registered construction contractors are aware of their obligations.

23 **(3)** The department may directly assess a forfeiture by issuing an order against
24 any person who violates this section.

