



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-4305/1  
KRP:klm

## 2019 ASSEMBLY BILL 828

January 30, 2020 - Introduced by Representatives RIEMER, STUCK, STUBBS, ANDERSON, L. MYERS, SUBECK, C. TAYLOR, SINICKI, SARGENT and VINING, cosponsored by Senators L. TAYLOR, RISSER, SMITH and LARSON. Referred to Committee on Housing and Real Estate.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT** *to amend* 101.63 (1) (intro.) and 101.73 (1); and *to create* 101.02 (15m)  
2             of the statutes; **relating to:** the use of radon-resistant construction materials  
3             and techniques in new construction of public buildings, places of employment,  
4             one-family and two-family dwellings, and modular homes and requiring the  
5             exercise of rule-making authority.

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

Under current law, the Department of Safety and Professional Services promulgates rules that establish standards for all of the following:

1. The design, construction, maintenance, and inspection of public buildings and places of employment, commonly called the “commercial building code.”
2. The construction and inspection of one-family and two-family dwellings, commonly called the “uniform dwelling code.”
3. The use of building materials, methods, and equipment in the manufacture and installation of modular homes for use as dwellings or dwelling units.

This bill requires DSPS, in promulgating those rules, to require the use of radon-resistant construction materials and techniques in new construction of public buildings, places of employment, one-family and two-family dwellings, and modular homes.

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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:*

1           **SECTION 1.** 101.02 (15m) of the statutes is created to read:

2           101.02 (**15m**) In promulgating the commercial building code, the department  
3 shall require the use of radon-resistant construction materials and techniques in  
4 new construction of public buildings and places of employment.

5           **SECTION 2.** 101.63 (1) (intro.) of the statutes is amended to read:

6           101.63 (**1**) (intro.) ~~Adopt~~ Promulgate rules ~~which~~ that establish standards for  
7 the construction and inspection of one-family and 2-family dwellings and their  
8 components ~~thereof~~. The rules shall include separate standards, established in  
9 consultation with the uniform dwelling code council, that apply only to the  
10 construction and inspection of camping units that are set in a fixed location in a  
11 campground for which a permit is issued under s. 97.67, that contain a sleeping  
12 place, and that are used for seasonal overnight camping. Where feasible, the  
13 standards used shall be those nationally recognized and shall apply to the dwelling  
14 and to its electrical, heating, ventilating, air conditioning, and other systems,  
15 including plumbing, as defined in s. 145.01 (10). ~~No set of~~ The rules may be adopted  
16 ~~which has not taken~~ shall take into account the conservation of energy in  
17 construction and maintenance of dwellings and the costs of specific code provisions  
18 to home buyers in relationship to the benefits derived from the provisions. The rules  
19 shall require the use of radon-resistant construction materials and techniques in  
20 new construction of dwellings. Rules promulgated under this subsection do not apply

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1 to a bed and breakfast establishment, as defined under s. 97.01 (1g), except that the  
2 rules apply to all of the following:

3 **SECTION 3.** 101.73 (1) of the statutes is amended to read:

4 101.73 (1) ~~Adopt~~ Promulgate rules ~~which~~ that establish standards for the use  
5 of building materials, methods, and equipment in the manufacture and installation  
6 of modular homes for use as dwellings or dwelling units. Where feasible, the  
7 standards used shall be those nationally recognized and shall apply to the dwelling  
8 and to its electrical, heating, ventilating, air conditioning, and other systems. ~~Such~~  
9 The rules shall take into account the conservation of energy in construction and  
10 maintenance of dwellings and the costs to home buyers of specific code provisions in  
11 relation to the benefits derived ~~therefrom~~ from the provisions. The rules shall  
12 require the use of radon-resistant construction materials and techniques in new  
13 construction of modular homes.

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(END)