

State of Wisconsin



2019 Assembly Bill 435

Date of enactment: **March 3, 2020**
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2019 WISCONSIN ACT 130

AN ACT *to amend* 101.82 (1) and 145.02 (2) (b); and *to create* 101.053 of the statutes; **relating to:** regulation of recreational and educational camps, providing an exemption from emergency rule procedures, and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 101.053 of the statutes is created to read:
101.053 Recreational and educational camps. (1)

In this section, "recreational and educational camp" means 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. "Recreational and educational camp" does not include any of the following:

(a) An overnight planned program of recreation or education for adults or families at an establishment holding a current retail food establishment license issued under s. 97.30 or lodging license issued under s. 97.605.

(b) An overnight planned program of recreation or education for less than 4 consecutive nights and without permanent facilities for food and lodging.

(c) An overnight planned program for credit at an accredited academic institution of higher education.

(d) A tournament, competition, visitation, recruitment, campus conference, or professional sports team training camp.

(2) The department shall promulgate rules revising the commercial building code to establish separate standards for the construction and inspection of recreational and educational camps. The standards established in the rules shall take into account the uses, including seasonal use, that are unique to recreational and educational camps.

SECTION 2. 101.82 (1) of the statutes is amended to read:

101.82 (1) Promulgate by rule a state electrical wiring code that establishes standards for installing, repairing, and maintaining electrical wiring. The rules shall include separate standards, established in consultation with the uniform dwelling code council, that apply only to electrical wiring in camping units that are set in a fixed location in a campground for which a permit is issued under s. 97.67, that contain a sleeping place, and that are used for seasonal overnight camping. The rules do not apply to electrical wiring in primitive rural hunting cabins, as defined in s. 101.61 (3). The standards established in the rules shall also take into account the uses, including seasonal use, that are unique to recreational and educational camps, as defined in s. 101.053 (1). Where feasible, the rules shall reflect nationally recognized standards.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

SECTION 3. 145.02 (2) (b) of the statutes is amended to read:

145.02 (2) (b) The department shall promulgate rules that establish separate plumbing standards applicable only to camping units that are set in a fixed location in a campground for which a permit is issued under s. 97.67, that contain a sleeping place, and that are used for seasonal overnight camping. The standards established in the rules shall also take into account the uses, including seasonal use, that are unique to recreational and educational camps, as defined in s. 101.053 (1). If the department has appointed one or more committees under s. 227.13 to advise the department on rule making with respect to private on-site wastewater treatment systems or other plumbing systems, the department shall promulgate the rules required under this paragraph in consultation with those committees.

SECTION 4. Nonstatutory provisions.

(1) The department of safety and professional services shall use the procedure under s. 227.24 to promulgate rules that are necessary to implement this act. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in effect until July 1, 2021, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the department of safety and professional services is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.