



2023 ASSEMBLY BILL 472

October 11, 2023 - Introduced by Representatives SINICKI, SHANKLAND, C. ANDERSON, J. ANDERSON, ANDRACA, BALDEH, BARE, BILLINGS, CABRERA, CLANCY, CONLEY, CONSIDINE, DOYLE, DRAKE, EMERSON, GOYKE, HAYWOOD, HONG, JACOBSON, JOERS, MADISON, MCGUIRE, MOORE OMOKUNDE, MYERS, NEUBAUER, OHNSTAD, ORTIZ-VELEZ, PALMERI, RATCLIFF, RIEMER, SHELTON, SNODGRASS, STUBBS, SUBECK and VINING, cosponsored by Senators WIRCH, AGARD, CARPENTER, HESSELBEIN, L. JOHNSON, LARSON, ROYS, SMITH, SPREITZER and TAYLOR. Referred to Committee on Housing and Real Estate.

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

Analysis by the Legislative Reference Bureau

This bill requires most persons who hold themselves out or act as construction contractors 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 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:

SECTION 1. 101.147 of the statutes is created to read:

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101.147 Construction contractor registration. (1) (a) Except as provided in par. (b), no person may hold himself or herself out or act as a construction contractor unless that person is registered as a construction contractor by the department.

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

1. A person who engages in construction on property owned or leased by that person.
2. A state agency or local governmental unit.
3. A person who engages in construction in the course of his or her employment by a state agency or local governmental unit.

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

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

(b) If the applicant is a corporation, limited liability company, limited partnership, or limited liability partnership and is not organized under ch. 178, 179, 180, 181, or 183, evidence that the applicant is registered, or has obtained a certificate of authority or registration, to transact business in this state under s. 178.1003, 179.1002, 180.1503, 181.1503, or 183.0909, as applicable.

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

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

(e) An acknowledgment of worker classification laws and penalties to ensure

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that construction contractors registered under this section are aware of their obligations.

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

(4) The department shall, with the advice of the department of workforce development, promulgate rules to administer and enforce this section.

SECTION 2. 101.1472 of the statutes is repealed.

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

101.19 (1g) (m) Registering construction contractors under s. 101.147.

(END)