

# State of Wisconsin



2013 Assembly Bill 683

Date of enactment: **March 19, 2014**

Date of publication\*: **March 20, 2014**

## 2013 WISCONSIN ACT 143

**AN ACT** *to repeal* 101.87 (5); *to renumber and amend* 101.88 (2); *to amend* 101.82 (1m), 101.82 (1r), 101.82 (3r), 101.84 (3), 101.862 (title), 101.862 (2), 101.862 (4) (b), 101.862 (4) (f), 101.862 (4) (g), 101.87 (title), 101.87 (1) (intro.), 101.87 (1) (a) and 101.87 (1) (b); and *to create* 101.80 (1p), 101.82 (1g), 101.82 (1n), 101.84 (5), 101.862 (4) (am), 101.862 (4) (n), 101.862 (5), 101.862 (6), 101.868, 101.87 (2m) and (3m), 101.874, 101.875 (title) and 101.875 (2) of the statutes; **relating to:** licensing structure for electricians and electrical apprentices; reciprocal agreements between this state and other states relating to the regulation of electricians, electrical contractors, electrical inspectors, and electrical apprentices; exemptions from licensing and supervisory requirements for electricians; inspections of electrical work within certain facilities; and granting rule-making authority.

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

**SECTION 1.** 101.80 (1p) of the statutes is created to read:

101.80 (1p) "Manufacturing facility" means a facility assessed as manufacturing property under s. 70.995.

**SECTION 2.** 101.82 (1g) of the statutes is created to read:

101.82 (1g) Regulate all of the following types of electricians:

(a) Master electricians, including residential master electricians.

(b) Journeyman electricians, including residential journeyman electricians and industrial journeyman electricians.

(c) Electrical apprentices, including residential electrical apprentices and industrial electrical apprentices.

(d) Registered electricians.

**SECTION 3.** 101.82 (1m) of the statutes is amended to read:

101.82 (1m) Promulgate rules that establish criteria and procedures for the ~~registration~~ enrollment of ~~beginning registered~~ electricians and for the ~~examination and licensing of different types of electricians, including journeymen electricians and master electricians~~ registration of electrical apprentices.

**SECTION 4.** 101.82 (1n) of the statutes is created to read:

101.82 (1n) Promulgate rules that establish procedures for the enrollment of registered electricians, the registration of electrical apprentices, and the licensing of journeyman electricians and master electricians.

**SECTION 5.** 101.82 (1r) of the statutes is amended to read:

101.82 (1r) Promulgate rules that establish requirements for the supervision of ~~beginning registered~~ electricians. Registered electricians must be supervised by licensed journeyman or master electricians.

**SECTION 6.** 101.82 (3r) of the statutes is amended to read:

\* 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."

101.82 (3r) Promulgate rules that establish criteria and a process for the suspension or revocation of registrations issued to ~~beginning registered~~ electricians, licenses issued to electricians and electrical contractors, and certifications issued to electrical inspectors.

**SECTION 7.** 101.84 (3) of the statutes is amended to read:

101.84 (3) Promulgate rules to differentiate the scope of installation, repair, or maintenance of electrical wiring that may be performed by electrical contractors ~~and by different types of electricians, including beginning, registered~~ electricians, ~~journeymen journeyman~~ electricians, and master electricians, ~~and any additional types of electricians recognized under sub. (5).~~

**SECTION 8.** 101.84 (5) of the statutes is created to read:

101.84 (5) The department may promulgate rules that recognize and regulate different types and subtypes of electricians that are in addition to those specified in s. 101.82 (1g) and that establish criteria and procedures for enrolling, registering, or licensing these electricians.

**SECTION 9.** 101.862 (title) of the statutes, as affected by 2007 Wisconsin Act 63 and 2013 Wisconsin Act 4, is amended to read:

**101.862 (title) License, or registration, or certification required.**

**SECTION 10.** 101.862 (2) of the statutes, as affected by 2007 Wisconsin Act 63 and 2013 Wisconsin Act 4, is amended to read:

101.862 (2) No person may install, repair, or maintain electrical wiring unless the person is licensed as an electrician by the department or unless the person is registered ~~enrolled~~ as a ~~beginning registered~~ electrician by the department.

**SECTION 11.** 101.862 (4) (am) of the statutes is created to read:

101.862 (4) (am) A person engaged in installing electrical wiring within an existing industrial facility or existing manufacturing facility owned or leased by the person or by an entity for which the person is an agent or employee.

**SECTION 12.** 101.862 (4) (b) of the statutes, as affected by 2007 Wisconsin Act 63 and 2013 Wisconsin Act 4, is amended to read:

101.862 (4) (b) A person engaged in maintaining or repairing electrical wiring within ~~a~~ ~~an existing~~ facility or on premises owned or leased by the person or by an entity for which the person is an agent ~~or employee~~.

**SECTION 12m.** 101.862 (4) (f) of the statutes, as affected by 2013 Wisconsin Act 125, is amended to read:

101.862 (4) (f) A person engaged in installing, repairing, or maintaining electrical wiring of ~~transmission facilities, as defined in s. 196.01 (12), 2011 stats. that support telecommunications service, as defined in s.~~

~~182.017 (1g) (cq), that is provided by a telecommunications provider, as defined in s. 196.01 (8p).~~

**SECTION 13.** 101.862 (4) (g) of the statutes, as affected by 2007 Wisconsin Act 63 and 2013 Wisconsin Act 4, is amended to read:

101.862 (4) (g) A person engaged in installing, repairing, or maintaining manufactured equipment ~~or utilization equipment, including ballasts, electric signs and luminaires,~~ or ~~a~~ ~~any other~~ manufactured system that is designed to provide a function that is not primarily electrical in nature if the installation, repair, or maintenance ~~does not involve~~ ~~only involves~~ the modification or installation of conductors ~~beyond that are considered part of the equipment or system under this paragraph.~~ For purposes of this paragraph, any conductor going from the disconnecting point or beyond the last nearest junction, pull, or device box, whichever is nearer to the point where the person is performing the installation, repair, or maintenance to the manufactured equipment or utilization equipment or the manufactured system is considered part of the equipment or system.

**SECTION 14.** 101.862 (4) (n) of the statutes is created to read:

101.862 (4) (n) A person who installs a replacement for an existing switch or outlet if the replacement switch or outlet has a rating of not more than 20 amperes.

**SECTION 15.** 101.862 (5) of the statutes is created to read:

101.862 (5) (a) Subsections (2) and (3) do not apply to a person who was born on or before January 1, 1956, and who has at least 15 years of experience in installing, repairing, or maintaining electrical wiring, subject to par. (b).

(b) The department shall promulgate rules establishing criteria and procedures for issuing licenses to electricians who were born on or before January 1, 1956, and who have at least 15 years of experience in installing, repairing, or maintaining electrical wiring. Upon promulgation of these rules, an electrician who meets these age and experience requirements may not install, repair, or maintain electrical wiring unless he or she is licensed in compliance with these rules or is otherwise licensed or registered as an electrician under this subchapter.

**SECTION 16.** 101.862 (6) of the statutes is created to read:

101.862 (6) (a) Subsections (2) and (3) do not apply to a person who installs electrical wiring, without receiving payment or other consideration, in a new one-family or 2-family dwelling that is being constructed by a qualified nonprofit corporation.

(b) For purposes of par. (a), a qualified nonprofit corporation is one that meets all of the following conditions:

1. The corporation is described in section 501 (c) (3) of the Internal Revenue Code and is exempt from federal

income tax under section 501 (a) of the Internal Revenue Code.

2. The corporation has as its purpose the construction and rehabilitation of residential dwellings in a specific community or area.

**SECTION 17.** 101.868 of the statutes is created to read:

**101.868 Requirements for master electricians. (1)**

An applicant for licensure as a master electrician shall have at least one of the following qualifications:

(a) A bachelor's degree or master's degree in electrical engineering, followed by passage of an examination required by the department.

(b) Twelve months of experience in installing, repairing, and maintaining electrical wiring while being licensed as a journeyman electrician, followed by passage of an examination required by the department.

(c) Experience in installing, repairing, and maintaining electrical wiring during a period of not less than 60 months, with at least 10,000 hours of experience over that period, followed by passage of an examination required by the department.

(2) Subsection (1) does not apply to any residential master electrician or to any other type of master electrician that may be recognized under s. 101.84 (5). The qualifying criteria required for licensing residential master electricians and any other such type of master electrician shall be established by the department by rule.

**SECTION 18.** 101.87 (title) of the statutes is amended to read:

**101.87 (title) Requirements for journeymen journeyman electricians.**

**SECTION 19.** 101.87 (1) (intro.) of the statutes is amended to read:

101.87 (1) (intro.) ~~The rules governing the licensing of journeymen electricians under s. 101.82 (1m) shall require that an~~ An applicant for licensure as a journeyman electrician ~~who is not a residential journeyman electrician shall~~ shall have at least one of the following qualifications:

**SECTION 20.** 101.87 (1) (a) of the statutes is amended to read:

101.87 (1) (a) Completion of ~~an~~ a construction electrician apprenticeship program in installing, repairing, and maintaining electrical wiring that has a duration of at least ~~4~~ 3 years and that is approved by the U.S. department of labor ~~and~~ or by the department of workforce development, ~~followed by passage of an examination required by the department.~~

**SECTION 21.** 101.87 (1) (b) of the statutes is amended to read:

101.87 (1) (b) Experience in installing, repairing, and maintaining electrical wiring ~~for at least 60~~ during a period of not less than 48 months ~~and, with at least 8,000 hours of experience over that period, followed by~~ passage of an examination required by the department.

**SECTION 22.** 101.87 (2m) and (3m) of the statutes are created to read:

101.87 (2m) For purposes of meeting the requirement relating to experience under sub. (1) (b), a degree or diploma from a 2-year program in a school of electrical engineering or from a 2-year program in an accredited technical or vocational school in an electrical-related program shall be accepted by the department as being equivalent to 12 months and 2,000 hours of experience.

(3m) Subsection (1) does not apply to any residential or industrial journeyman electricians or to any other type of journeyman electrician that may be recognized under s. 101.84 (5). The qualifying criteria required for licensing residential and industrial journeyman electricians and any other such type of journeyman electrician shall be established by the department by rule.

**SECTION 23.** 101.87 (5) of the statutes is repealed.

**SECTION 24.** 101.874 of the statutes is created to read:

**101.874 Reciprocity. (1)** In this section, "credential" means a registration, license, certification, or other approval to perform or inspect electrical work.

(2) The department may enter into a reciprocal agreement with another state under which credentials issued to electricians, electrical apprentices, electrical contractors, and electrical inspectors by either state are recognized as comparable credentials by the other state. Under the agreement, the department may recognize credentials from the other state only if the education, experience, and examination requirements in the other state are at least equivalent to the education, experience, and examination requirements for being issued credentials under this subchapter.

(3) Upon entering into an agreement under this section, the department may issue a credential only if all of the following apply:

(a) The individual seeking the credential submits an application and pays the applicable fee established under s. 101.82 (4).

(b) The individual holds a valid comparable credential issued by the other state.

**SECTION 25.** 101.875 (title) of the statutes is created to read:

**101.875 (title) Inspections.**

**SECTION 26.** 101.875 (2) of the statutes is created to read:

101.875 (2) Any rule promulgated under s. 101.82 (2m) may not require the inspection of any of the installation, repair, or maintenance of electrical wiring within an existing industrial facility or an existing manufacturing facility unless the plan for the installation, repair, or maintenance is required to be examined under s. 101.12 (2) by the department or by a municipality that has its examinations accepted by the department under s. 101.12 (3) (a), (am), or (b).

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**SECTION 27.** 101.88 (2) of the statutes is renumbered 101.875 (1) and amended to read:

101.875 (1) All inspections of electrical wiring shall be ~~made performed~~ by ~~persons~~ inspectors certified by the department.

**SECTION 28. Initial applicability.**

(1) The treatment of sections 101.868 and 101.87 (title), (1) (intro.), (a), and (b), (2m), (3m), and (5) of the

statutes first applies to persons applying for licenses on the effective date of this subsection.

**SECTION 29. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The treatment of sections 101.80 (1p) and 101.862 (title), (2), (4) (am), (b), (f), (g), and (n), (5), and (6) of the statutes takes effect on April 1, 2014, or on the day after publication, whichever is later.

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