



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT to create** 16.853 of the statutes; **relating to:** installation of hearing loop
2 technology in certain new and renovated state buildings and granting
3 rule-making authority.

Analysis by the Legislative Reference Bureau

Under this bill, each space that is constructed or renovated in a building that is owned, leased, or occupied by the state must be equipped with a hearing loop system if the space is intended to be used for gatherings of 15 or more people and audible communications are integral to a use of the space. The bill defines a “hearing loop system” as an assistive listening technology that consists of a physical loop system that generates a magnetic field in the looped area and transmits signals directly to telecoils in hearing aids, cochlear implants, and other listening devices.

Under the bill, the Department of Administration may approve an exemption from the bill’s requirement to install a hearing loop system under certain circumstances. DOA must do all of the following with respect to approved exemptions:

1. Create a notice and comment process for each approved exemption.
2. Consider available alternative measures in lieu of installation of a permanent hearing loop system.
3. Submit an annual report to the legislature and the Department of Health Services describing in detail each approved exemption, the reasons for the exemption, and the consideration and approval of alternative measures.

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:

1 **SECTION 1.** 16.853 of the statutes is created to read:

2 **16.853 Installation of hearing loop technology.** (1) In this section:

3 (a) “Hearing loop system” means an assistive listening technology that consists
4 of a physical loop system that generates a magnetic field in the looped area and
5 transmits signals directly to telecoils in hearing aids, cochlear implants, and other
6 listening devices.

7 (b) “Public gathering space” means a space that is intended to be used for
8 gatherings of 15 or more people if audible communications are integral to a use of the
9 space.

10 (2) The department shall ensure that each constructed or renovated public
11 gathering space in a building that is owned, leased, or occupied by the state is
12 equipped with a hearing loop system.

13 (3) (a) The department, after consulting with the department of health
14 services, may exempt the construction or renovation of a public gathering space from
15 the requirement to install a hearing loop system under sub. (2) if the department
16 determines that any of the following applies:

17 1. Installation of a hearing loop system conflicts with other legal requirements.

18 2. Installation of a hearing loop system conflicts with other project
19 requirements.

20 3. The cost to install a hearing loop system is prohibitive.

1 (b) The department shall promulgate rules establishing a process for public
2 notice and comment on each decision to approve an exemption under par. (a),
3 including any approval of an alternative measure under par. (c). The department
4 shall publish the notice in such a manner as to maximize notification to the
5 hard-of-hearing community and other interested persons. The department shall
6 consider all public comments made regarding the exemption before implementing
7 the decision.

8 (c) Before the department approves an exemption under par. (a), the
9 department shall consider available alternative measures in lieu of installation of a
10 permanent hearing loop system, including providing portable hearing loops or
11 portable FM systems with neckloops.

12 (d) The department shall submit annual reports to the appropriate standing
13 committees of the legislature under s. 13.172 (3) and to the department of health
14 services that describe in detail each exemption approved by the department under
15 par. (a) in the previous quarter, including the reasons for the exemption and a
16 description of each alternative measure considered or approved under par. (c).

17 **SECTION 2. Initial applicability.**

18 (1) This act first applies to the construction or renovation of a public gathering
19 space that has not completed the planning and design phase on the effective date of
20 this subsection, as determined by the secretary of administration. However, the
21 legislature encourages the secretary of administration to ensure compliance with the
22 provisions of this act for projects that have completed the planning and design phase
23 on the effective date of this subsection.

24 (END)