



Department of
Safety and Professional Services

Tony Evers, Governor
Dan Hereth, Secretary

PRESS RELEASE—Contact DPS Newsroom at dspsnewsroom@wisconsin.gov

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Upgraded Commercial Building Code to Take Effect September 1

Change marks first improvements to this code in a decade

Madison, Wis. – A modernized Wisconsin Commercial Building Code will take effect September 1. That’s when the Legislative Reference Bureau (LRB) will publish the new, upgraded code, which establishes standards for commercial buildings in the state, including multi-family residential buildings. Through this update, Wisconsin will move to 2021 International Building Code (IBC) standards with some Wisconsin-specific adjustments.

Department of Safety and Professional Services (DPS) Secretary Dan Hereth submitted the required adoption order to the LRB earlier this month to complete the code promulgation process.

“I’m proud of the work our staff, stakeholders, and the Commercial Building Code Council put into this project,” said Sec. Hereth. “Our staff collaborated with industry leaders, solicited input from the public, and thoughtfully developed a thorough upgrade that meets the Evers Administration’s goal of bringing Wisconsin closer in line with international building standards and improving safety.”

To ease any impact of this update on the building industry, DPS will also accept plans submitted under the current (2015) code through the month of September. Starting October 1, all commercial building plans submitted to DPS for approval must meet the standards set in the upgraded code. Any supplemental sub-submissions to DPS (such as fire suppression/alarm, HVAC, boilers, elevators, refrigeration) must be aligned with the code under which the commercial building plan was approved, regardless of how many months later they follow.

The Department has been preparing for this code adoption by updating relevant licensing exam questions and training its staff. DPS plans to have relevant exams updated to reflect improvements to the code starting October 1. The Department will also offer two virtual webinars to industry professionals to explain key code upgrades and answer questions.

“We’re ready and willing to help the building industry and its associated professionals implement a modernized code. These groups are our partners in building safety, and we look forward to working with them through the coming months, just as we have throughout this process,” Hereth said.

The implementation of these building code upgrades follows the Wisconsin Supreme Court decision in *Evers v. Marklein* earlier this month, when the court found that a Legislative committee used an unconstitutional “legislative veto” to block the code’s implementation in 2023.

The upgrades bring Wisconsin in line with 2021 International Code Council standards. DSPS started the code update process when it published the scope statement in October of 2020. The Commercial Building Code Council, which included representatives from the state building industry, spent the next 24 months working on the updates. This included multiple public meetings with significant public engagement.

The Commercial Building Code Council and DSPS submitted a final draft of the new Commercial Building Code to the legislature in May of 2023, but the rule was permanently delayed in September of that year by an indefinite objection of the Joint Committee for Review of Administrative Rules (JCRAR). Otherwise, this rule would have taken effect in fall of 2023. The recent Wisconsin Supreme Court decision in *Evers v. Marklein*, 2025 WI 36 overturned the September 2023 indefinite objection as unconstitutional, meaning DSPS can now finalize this comprehensive modernization of the Commercial Building Code.

About DSPS

DSPS issues more than 240 unique licenses, administers dozens of boards and councils that regulate professions, enforces state building codes, runs the state fire prevention program, and maintains the award-winning Wisconsin Enhanced Prescription Drug Monitoring Program, which is a key tool in the multi-faceted public health campaign to stem excessive opioid prescribing. A fee-based agency, DSPS is self-sustaining and receives no general fund tax dollars for its day-to-day operations. With five offices and 250 employees throughout Wisconsin, DSPS collaborates with constituents and stakeholders across a wide range of industries to promote safety and advance the economy.