



**WISCONSIN LEGISLATIVE COUNCIL
ACT MEMO**

2013 Wisconsin Act 43
[2013 Assembly Bill 179]

**Private Interests in Wisconsin
Economic Development
Corporation Contracts**

CURRENT LAW

It is a felony under current law for a public official or public employee to, in his or her private capacity, negotiate, bid for, or enter into a contract in which he or she has a private pecuniary interest if he or she, in his or her public capacity, is required or authorized by law to participate in the making of that contract or to perform some official function requiring the exercise of discretion with respect to that contract. Current law also prohibits a public official, including a member of the Wisconsin Economic Development Corporation (WEDC) board, from taking any official action that substantially affects a matter in which he or she has a substantial financial interest.

2013 WISCONSIN ACT 43

2013 Wisconsin Act 43 provides that a WEDC board member or WEDC employee to whom the board delegates its authority to contract must notify WEDC's legal counsel or chief executive officer if he or she has a private pecuniary interest in a contract that is being negotiated, bid for, or entered into with WEDC. Under the Act, a member of the WEDC board or WEDC employee that has notified WEDC's counsel or chief executive officer that he or she has a private pecuniary interest in a contract is not authorized to participate, in his or her public capacity, in the making of the contract or to exercise an official function that requires the exercise of discretion in regard to the contract.

The Act also requires the WEDC board to prohibit WEDC from entering into a contract with an entity in which a WEDC employee has a controlling interest. If a WEDC employee has a controlling interest in an entity that is negotiating, bidding for, or entering into a contract with WEDC, the employee must notify WEDC's legal counsel or chief executive officer, who must then notify the board.

Effective date: July 25, 2013.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.