

1989 Senate Bill 276

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1989 WISCONSIN ACT 172

AN ACT to amend 565.10 (3) (a) (intro.) and (c) 4 and 565.25 (3) (a) (intro.) and (b) 4 of the statutes, relating to: criminal records of individuals associated with partnerships, associations or corporations that are lottery retailers or vendors (suggested as remedial legislation by the lottery board).

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the lottery board and introduced by the law revision committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of this bill, the law revision committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 565.10 (3) (a) (intro.) and (c) 4. of the statutes are amended to read:

565.10 (3) (a) (intro.) Notwithstanding s. 111.321, no lottery retailer contract may be entered into with a person if, during the immediately preceding 10 years, ~~he or she~~ the person has been convicted of, or entered a plea of guilty or no contest to, any of the following, unless the person has been pardoned:

(c) 4. The restrictions under par. (a) do not apply to the partnership, association or corporation if the board determines that the partnership, association or corporation has terminated its relationship with the partner, officer, director or owner who was convicted or entered the plea or with the partner, officer, director, owner or other individual whose actions directly contributed to the partnership's, association's or corporation's conviction or entry of plea.

SECTION 2. 565.25 (3) (a) (intro.) and (b) 4. of the statutes are amended to read:

565.25 (3) (a) (intro.) No contract for a major procurement may be entered into with a person if, during the immediately preceding 10 years, ~~he or she~~ the person has been convicted of, or entered a plea of guilty or no contest to, any of the following, unless the person has been pardoned:

(b) 4. The restrictions under par. (a) do not apply to the partnership, association or corporation if the board determines that the partnership, association or corporation has terminated its relationship with the partner, officer, director or owner who was convicted or entered the plea or with the partner, officer, director, owner or other individual whose actions directly contributed to the partnership's, association's or corporation's conviction or entry of plea.

NOTE: This bill clarifies the exception to the prohibition on lottery retailer contracts or major lottery procurement contracts with an organization that has a criminal record or has entered a plea of guilty or no contest to a violation of the lottery law in the previous 10 years [ch. 565, stats.]. A major lottery procurement contract means a contract for materials, supplies, equipment or services which are unique to a lottery.

Under existing law, the exception applies if an organization terminates its relationship to the partner, officer, director, owner or individual whose criminal or delinquent actions directly contributed to the organization's conviction or entry of a plea. The bill provides that the exception also applies if the relevant conviction or plea is that of any partner, officer, director or owner of the organization and the organization terminates its relationship with that person.