

SENATE BILL 86 (LRB -1960)

An Act to create 111.335 (1) (d) of the statutes; relating to: permitting an educational agency to refuse to employ or to terminate from employment an unparoled felon. (FE)

2011

05-04.	S.	Introduced by Senators Darling, Schultz, Galloway, Leibham, Lazich and Wanggaard ; cosponsored by Representatives Thiesfeldt, Petrowski, Kestell, Ziegelbauer, Jacque, Spanbauer, Endsley, A. Ott, Nygren, Bernier, Kerkman, Steineke, Brooks, Mursau, Kleefisch, LeMahieu, Kramer, Nass, Williams, Bies, Tauchen, Stone, Petersen, Pridemore and Vos .	
05-04.	S.	Read first time and referred to committee on Labor, Public Safety, and Urban Affairs	248
05-11.	S.	Fiscal estimate received.	
05-19.	S.	Fiscal estimate received.	
05-19.	S.	Fiscal estimate received.	
05-23.	S.	Fiscal estimate received.	
06-07.	S.	Public hearing held.	
06-07.	S.	Executive action taken.	
06-08.	S.	Report passage recommended by committee on Labor, Public Safety, and Urban Affairs, Ayes 4, Noes 1 ..	323
06-08.	S.	Available for scheduling.	
08-19.	S.	Fiscal estimate received.	
10-26.	S.	Placed on calendar 10-27-2011 pursuant to Senate Rule 18(1)	539
10-27.	S.	Read a second time	547
10-27.	S.	Senate amendment 1 offered by Senators Vinehout, Taylor and Hansen (LRB a1830)	547
10-27.	S.	Senate amendment 1 laid on table, Ayes 17, Noes 14	547
10-27.	S.	Senate amendment 2 offered by Senator S. Coggs (LRB a1835)	548
10-27.	S.	Senate amendment 2 withdrawn and returned to author	548
10-27.	S.	Senate amendment 3 offered by Senators Taylor, Holperin, Miller, Lassa and Hansen (LRB a1828)	548
10-27.	S.	Senate amendment 3 laid on table, Ayes 16, Noes 15	548
10-27.	S.	Ordered to a third reading	548
10-27.	S.	Rules suspended	548
10-27.	S.	Read a third time and passed	548
10-27.	S.	Ordered immediately messaged	549
10-28.	A.	Received from Senate	626
10-28.	A.	Read first time and referred to calendar	627
11-01.	A.	Rules suspended to withdraw from calendar and take up	640
11-01.	A.	Read a second time	640
11-01.	A.	Assembly substitute amendment 1 offered by Representatives C. Taylor, Kessler, Young, E. Coggs, Grigsby, Sinicki, Berceau, Bernard Schaber, Pocan, Milroy, Roys, Pope-Roberts and Turner (LRB s0250)	640
11-01.	A.	Assembly substitute amendment 1 laid on table, Ayes 65, Noes 31	640
11-01.	A.	Assembly amendment 1 offered by Representatives C. Taylor, Kessler, Young, E. Coggs, Grigsby, Sinicki, Berceau, Bernard Schaber, Pocan, Roys, Seidel, Pope-Roberts and Turner (LRB a1929)	641
11-01.	A.	Assembly amendment 1 laid on table, Ayes 61, Noes 35	641
11-01.	A.	Ordered to a third reading	641
11-01.	A.	Refused to suspend rules to read a third time, Ayes 62, Noes 34	641
11-01.	A.	Made a special order of business at 11:05 A.M. on 11-03-2011 pursuant to Assembly Resolution 18	647
11-03.	A.	Read a third time and concurrent in. ✓	
11-03.	A.	Representative August added as a cosponsor.	
11-03.	A.	Ordered immediately messaged.	
11-04.	S.	Received from Assembly concurrent in.	

YAP

**2011
ENROLLED BILL**

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ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

11-1960/1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

11-4-11

Date

JR Miller

Enrolling Drafter



2011 SENATE BILL 86

May 4, 2011 - Introduced by Senators DARLING, SCHULTZ, GALLOWAY, LEIBHAM, LAZICH and WANGGAARD, cosponsored by Representatives THIESFELDT, PETROWSKI, KESTELL, ZIEGELBAUER, JACQUE, SPANBAUER, ENDSLEY, A. OTT, NYGREN, BERNIER, KERKMAN, STEINEKE, BROOKS, MURSAU, KLEEFISCH, LEMAHIEU, KRAMER, NASS, WILLIAMS, BIES, TAUCHEN, STONE, PETERSEN, PRIDEMORE and VOS. Referred to Committee on Labor, Public Safety, and Urban Affairs.

1 **AN ACT to create** 111.335 (1) (d) of the statutes; **relating to:** permitting an
2 educational agency to refuse to employ or to terminate from employment an
3 unpardoned felon.

Analysis by the Legislative Reference Bureau

Current law, subject to certain exceptions, prohibits discrimination in employment based on conviction record. Current law specifies, however, that it is not employment discrimination because of conviction record to refuse to employ or to terminate from employment an individual who has been convicted of a felony, misdemeanor, or other offense, the circumstances of which substantially relate to the circumstances of the particular job. This bill specifies that it is not employment discrimination because of conviction record for an educational agency to refuse to employ or to terminate from employment an individual who has been convicted of a felony and who has not been pardoned for that felony, whether or not the circumstances of the felony substantially relate to the circumstances of the particular job.

Under the bill, an “educational agency” is defined as a school district, a cooperative educational service agency, a county children with disabilities education board, a state prison, a juvenile correctional facility, a secured residential care center for children and youth, the Wisconsin Center for the Blind and Visually Impaired, the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the Mendota Mental Health Institute, the Winnebago Mental Health Institute, a state center for the developmentally disabled, a private school, a charter school, an agency

