



State of Wisconsin
1999 - 2000 LEGISLATURE

LRBs0125/1
GMM:jlg:mrc

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 446**

September 21, 1999 - Offered by Representatives RILEY, BLACK, COGGS and
MORRIS-TATUM.

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 individual who has been convicted of a serious felony.

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

4 **SECTION 1.** 111.335 (1) (d) of the statutes is created to read:
5 111.335 (1) (d) 1. In this paragraph, "serious felony" means a violation of s.
6 940.01, 940.225 (1) or (2), 948.02, 948.025, 948.03 (2), (3) (a) or (c) or (4) (a), 948.04,
7 948.05, 948.06, 948.07, 948.08, 948.30, 948.35 (1) (b), 948.36 or 948.40 (4) (a); a
8 violation of s. 948.21, if death is a consequence; a solicitation, conspiracy or attempt
9 under s. 939.30, 939.31 or 939.32 to commit a violation specified in this subdivision;
10 or a violation of federal law or the law of any other state or country that would be a
11 violation specified in this subdivision if committed in this state.

1 2. Notwithstanding s. 111.322, it is not employment discrimination because of
2 conviction record for an educational agency, as defined in s. 115.31 (1) (b), to refuse
3 to employ or to terminate from employment an individual who has been convicted of
4 a serious felony, who has not been pardoned for that serious felony and whose
5 conviction has not been reversed, set aside or vacated, except that it is employment
6 discrimination because of conviction record for an educational agency to terminate
7 from employment an individual who is employed by the educational agency on the
8 effective date of this subdivision [revisor inserts date], based on a conviction for
9 a serious felony obtained before the effective date of this subdivision [revisor
10 inserts date], unless the circumstances of that serious felony substantially relate to
11 the circumstances of the individual's particular job.

12 **(END)**