



2005 SENATE BILL 338

September 20, 2005 - Introduced by Senators KANAVAS, RISSER, STEPP, ROESSLER, LASSA, MILLER and WIRCH, cosponsored by Representatives LAMB, BERCEAU, KREIBICH, KAUFERT, JENSEN, DAVIS, PETTIS, UNDERHEIM, M. WILLIAMS, SEIDEL, HINES, SHERIDAN, TURNER, BLACK, TRAVIS, SHILLING and TOWNS. Referred to Committee on Job Creation, Economic Development and Consumer Affairs.

1 **AN ACT to create** 946.13 (12) of the statutes; **relating to:** the prohibition against
2 a public officer or employee having a private interest in a public contract.

Analysis by the Legislative Reference Bureau

Current law prohibits a public officer or employee from making or performing a contract in his or her official capacity if he or she has a private pecuniary interest in the contract and if his or her official involvement in the contract requires the exercise of discretion. For this offense, a person may be fined not more than \$10,000, sentenced to a term of confinement and extended supervision that together may not exceed three and one-half years, or both fined and sentenced.

This bill specifies that the prohibition against a public officer or employee having a private interest in a public contract does not apply to a contract between a research company and the University of Wisconsin (UW) System for purchase of goods or services if the contract is approved by a UW System employee or officer responsible for evaluating and managing potential conflicts of interest. A "research company" is defined as an entity engaged in commercial activity that is related to research conducted by an employee or officer of the UW System or to a product of such research.

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

3 **SECTION 1.** 946.13 (12) of the statutes is created to read:

