



2023 ASSEMBLY BILL 1034

January 30, 2024 - Introduced by Representatives DUCHOW, WITKE, BEHNKE, DITTRICH, MICHALSKI, MOSES, MURPHY, O'CONNOR and SPIROS, cosponsored by Senators TOMCZYK, KNODL, STROEBEL and BALLWEG. Referred to Committee on Education.

1 **AN ACT** *to amend* 19.32 (1) and 19.82 (1); and *to create* 19.32 (1db), 19.36 (14)
2 and (15), 19.82 (1m) and 118.1335 of the statutes; **relating to:** participation in
3 interscholastic athletics and application of the public records and open
4 meetings laws to interscholastic athletic associations.

Analysis by the Legislative Reference Bureau

This bill prohibits a school district from being a member of an interscholastic athletic association unless the association elects to be governed by the state's public records and open meetings laws. An interscholastic athletic association that elects to be governed by the public records and open meetings laws is subject to those laws. Under the bill, an interscholastic athletic association can be either a nonprofit, unincorporated association or a nonstock, nonprofit corporation if the unincorporated association or corporation coordinates athletic events or contests for students enrolled in grades 9 to 12 in public schools. The bill includes exceptions for records of an interscholastic athletic association pertaining to individual referees or individual pupils.

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

5 **SECTION 1.** 19.32 (1) of the statutes is amended to read:

ASSEMBLY BILL 1034**SECTION 1**

1 19.32 (1) “Authority” means any of the following having custody of a record: a
2 state or local office, elective official, agency, board, commission, committee, council,
3 department or public body corporate and politic created by the constitution or by any
4 law, ordinance, rule or order; a governmental or quasi-governmental corporation
5 except for the Bradley center sports and entertainment corporation; a special
6 purpose district; any court of law; the assembly or senate; a nonprofit corporation
7 which receives more than 50 percent of its funds from a county or a municipality, as
8 defined in s. 59.001 (3), and which provides services related to public health or safety
9 to the county or municipality; a university police department under s. 175.42; an
10 interscholastic athletic association that elects to be governed by this subchapter; or
11 a formally constituted subunit of any of the foregoing.

12 **SECTION 2.** 19.32 (1db) of the statutes is created to read:

13 19.32 (1db) “Interscholastic athletic association” means a nonprofit
14 association, as defined in s. 184.01 (2), or a nonstock, nonprofit corporation organized
15 under ch. 181, that coordinates athletic events or contests for students enrolled in
16 grades 9 to 12 in public schools.

17 **SECTION 3.** 19.36 (14) and (15) of the statutes are created to read:

18 19.36 (14) INTERSCHOLASTIC ATHLETIC ASSOCIATION REFEREE RECORDS. An
19 interscholastic athletic association that elects to be governed by this subchapter may
20 withhold access to records concerning individual referees.

21 (15) INTERSCHOLASTIC ATHLETIC ASSOCIATION PUPIL RECORDS. Records concerning
22 an individual pupil maintained by an interscholastic athletic association that elects
23 to be governed by this subchapter are not subject to the right of inspection or copying
24 under s. 19.35 (1).

25 **SECTION 4.** 19.82 (1) of the statutes is amended to read:

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1 19.82 (1) “Governmental body” means a state or local agency, board,
2 commission, committee, council, department or public body corporate and politic
3 created by constitution, statute, ordinance, rule or order; a governmental or
4 quasi-governmental corporation except for the Bradley center sports and
5 entertainment corporation; a local exposition district under subch. II of ch. 229; a
6 long-term care district under s. 46.2895; an interscholastic athletic association that
7 elects to be governed by this subchapter; or a formally constituted subunit of any of
8 the foregoing, but excludes any such body or committee or subunit of such body which
9 is formed for or meeting for the purpose of collective bargaining under subch. I, IV,
10 or V of ch. 111.

11 **SECTION 5.** 19.82 (1m) of the statutes is created to read:

12 19.82 (1m) “Interscholastic athletic association” means a nonprofit
13 association, as defined in s. 184.01 (2), or a nonstock, nonprofit corporation organized
14 under ch. 181, that coordinates athletic events or contests for students enrolled in
15 grades 9 to 12 in public schools.

16 **SECTION 6.** 118.1335 of the statutes is created to read:

17 **118.1335 Participation in interscholastic athletics.** No school district
18 may be a member of an interscholastic athletic association, as defined in s. 19.32
19 (1db), unless the interscholastic athletic association elects to be governed by subchs.
20 II and V of ch. 19.

21 **(END)**