

1999 ASSEMBLY BILL 6

January 14, 1999 – Introduced by Representatives SCHNEIDER, MUSSER, BOYLE, BERCEAU and GRONEMUS. Referred to Committee on Small Business and Economic Development.

- 1 **AN ACT to create** 20.445 (1) (fm) and 103.08 of the statutes; **relating to:**
2 convenience store, service station and restaurant security, a grant program for
3 workplace security training and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill permits counties, cities, villages and towns to enact local ordinances requiring convenience stores, service stations and restaurants that are regularly open for business at any time between 8 p.m. and 5 a.m. (at-risk businesses), other than at-risk businesses in which only the owner and his or her family members work during those hours, to do all of the following:

1. Adequately illuminate the parking lot at an intensity determined by the ordinance.

2. If the at-risk business is constructed or converted from another use on or after the effective date of the ordinance, place the cash register and transaction area, and maintain window signs and tinting, so as to provide a clear and unobstructed view of the cash register and transaction area from the street.

3. If the at-risk business is equipped with a security camera, make the recording device of the security camera inaccessible to employes and post a conspicuous sign at the entrance stating that a security camera with an inaccessible recording device is in place on the premises.

In addition to the requirements listed above, the bill also permits a local ordinance enacted under the bill to require the owner of an at-risk business that is subject to the ordinance to do any of the following:

ASSEMBLY BILL 6

1. Equip the at-risk business with an inaccessible drop safe and post a conspicuous sign at the entrance stating that an inaccessible drop safe is on the premises.

2. Require all employes who work at any time between 8 p.m. and 5 a.m. to attend a workplace security training program that is provided by the law enforcement agency of the local governmental unit enacting the ordinance or by a local chamber of commerce or other local business group and that has been approved by the attorney general. The bill appropriates moneys and directs the department of workforce development to provide grants to assist local governmental units and local chambers of commerce or other local business groups in providing those training programs.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert
2 the following amounts for the purposes indicated:

				1999-00	2000-01
3					
4	20.445	Workforce development, department of			
5	(1)	WORKFORCE DEVELOPMENT			
6	(fm)	Workplace security training			
7		grants	GPR A	10,000	10,000

8 **SECTION 2.** 20.445 (1) (fm) of the statutes is created to read:
9 20.445 (1) (fm) *Workplace security training grants.* The amounts in the
10 schedule for workplace security training grants under s. 103.08 (6).

11 **SECTION 3.** 103.08 of the statutes is created to read:
12 **103.08 Convenience store, service station and restaurant security**
13 **ordinances. (1) DEFINITIONS.** In this section:

ASSEMBLY BILL 6

1 (a) “Convenience store” means any place of business that is engaged in the
2 retail sale of groceries, including the sale of prepared foods.

3 (b) “Restaurant” has the meaning given in s. 254.61 (5).

4 (c) “Service station” means any place of business that is engaged in the retail
5 sale of gasoline.

6 **(2) LOCAL ORDINANCE.** A county, city, village or town may enact an ordinance
7 that is in strict conformity with subs. (3) and (4). An ordinance enacted by a county
8 under this subsection is applicable in that part of any city or village located in the
9 county and in any town located in the county, unless the city, village or town has
10 enacted an ordinance under this subsection.

11 **(3) CONVENIENCE STORE, SERVICE STATION AND RESTAURANT SECURITY.** (a) An
12 ordinance enacted under sub. (2) shall require all of the following:

13 1. That the owner of every convenience store, service station or restaurant
14 within the county, city, village or town enacting the ordinance that is regularly open
15 for business at any time between 8 p.m. and 5 a.m., other than a convenience store,
16 service station or restaurant in which only the owner or his or her family members
17 work during those hours, adequately illuminate the parking lot at an intensity
18 determined by the governing body of the county, city, village or town enacting the
19 ordinance.

20 2. That the owner of every convenience store, service station or restaurant
21 described in subd. 1. that is constructed or converted from another use on or after the
22 effective date of the ordinance place the cash register and transaction area, and
23 maintain window signs and tinting, so as to provide a clear and unobstructed view
24 of the cash register and transaction area from the street.

ASSEMBLY BILL 6

1 3. That the owner of every convenience store, service station or restaurant
2 described in subd. 1. that is equipped with a security camera make the recording
3 device of the security camera inaccessible to employes and post a conspicuous sign
4 at the entrance stating that a security camera is in place on the premises and that
5 the recording device of the security camera is inaccessible to employes.

6 (b) In addition to the requirements under par. (a), an ordinance enacted under
7 sub. (2) may require any of the following:

8 1. That the owner of every convenience store, service station or restaurant
9 described in par. (a) 1. equip the convenience store, service station or restaurant with
10 a drop safe that is inaccessible to employes and post a conspicuous sign at the
11 entrance stating that a safe is on the premises and that the safe is inaccessible to
12 employes.

13 2. That the owner of every convenience store, service station or restaurant
14 described in par. (a) 1. require all employes who work at any time between 8 p.m. and
15 5 a.m. to attend a workplace security training program that has been approved by
16 the attorney general under sub. (5) or (6).

17 **(4) PENALTIES.** An ordinance enacted under sub. (2) shall provide that any
18 person who violates the ordinance may be required to forfeit not more than \$1,000.

19 **(5) WORKPLACE SECURITY TRAINING.** The law enforcement agency of a county, city,
20 village or town that enacts an ordinance under sub. (2) may provide for persons who
21 are required to attend a workplace security training program under sub. (3) (b) 2. a
22 workplace security training program that trains and familiarizes those persons with
23 the security practices required under sub. (3). The law enforcement agency shall
24 submit the proposed training program to the attorney general and the attorney

ASSEMBLY BILL 6

1 general shall review and approve or disapprove the proposed training program
2 within 60 days after its receipt.

3 **(6) GRANTS FOR WORKPLACE SECURITY TRAINING PROGRAMS.** (a) From the
4 appropriation under s. 20.445 (1) (fm), the department shall provide grants to
5 applying local governmental units, local chambers of commerce and other local
6 business groups to assist those units, chambers or other groups in providing
7 workplace security training programs for the employes of convenience stores,
8 restaurants, service stations and other places of business that are at risk of theft or
9 robbery, including employes who are required to attend a workplace security
10 training program under sub. (3) (b) 2.

11 (b) A local governmental unit, local chamber of commerce or other local
12 business group that applies for a grant under par. (a) shall submit with its grant
13 application a description of its proposed workplace security training program
14 containing any information that the department, after consulting with the attorney
15 general, may require. On receipt of a grant application, the department shall submit
16 the proposed workplace security training program to the attorney general and the
17 attorney general shall review and approve or disapprove the proposed workplace
18 security training program within 60 days after its receipt.

19 (c) Annually, the department shall notify all local governmental units and all
20 local chambers of commerce or other local business groups in this state of the
21 availability of the grants provided under par. (a).

22 **(7) IMMUNITY FROM LIABILITY.** The attorney general and his or her employes and
23 agents shall not be liable for any claim for damages to person or property arising out
24 of the approval or disapproval of a workplace security training program under sub.
25 (5) or (6). A local governmental unit, any governmental subdivision or agency of a

ASSEMBLY BILL 6

1 local governmental unit, a local chamber of commerce or other local business group,
2 and any officer, official, agent or employe of any of those entities shall not be liable
3 for any claim for damages to person or property arising out of the implementation
4 of a workplace security training program approved under sub. (5) or (6), if the
5 workplace security training program is actually provided.

6 **SECTION 4. Nonstatutory provisions.**

7 (1) REPORT ON SAFETY AND SECURITY REQUIREMENTS OF AT-RISK BUSINESSES. No
8 later than January 1, 2001, the department of justice shall submit a report to the
9 legislature, in the manner provided under section 13.172 (2) of the statutes, on the
10 safety and security requirements of businesses that have a high incidence of violent
11 crimes such as homicide and robbery, as determined under the uniform crime
12 reporting system of the office of justice assistance in the department of
13 administration. The study shall include the effects of multistaffing, bullet-resistant
14 enclosures, security devices such as cameras and alarm systems and other applicable
15 crime prevention measures in preventing violent crime at those businesses.

16 (END)