

**1999 DRAFTING REQUEST**

**Bill**

Received: **02/07/2000**

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB:

For: **Glenn Grothman (608) 264-8486**

By/Representing: **Scott Kulla**

This file may be shown to any legislator: **NO**

Drafter: **kunkemd**

May Contact:

Alt. Drafters:

Subject: **Occupational Reg. - misc**

Extra Copies:

**Pre Topic:**

No specific pre topic given

**Topic:**

Eligibility for private security permit

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	kunkemd 02/07/2000	csicilia 02/08/2000	martykr 02/08/2000	_____	lrb-docadmin 02/08/2000		State
	kunkemd 02/08/2000	csicilia 02/08/2000		_____			
/2			jfrantze 02/08/2000	_____	lrb-docadmin 02/08/2000	lrb_docadminState 02/16/2000	

FE Sent For:

<END>

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<END>



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-4492/1

MDK: .....

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## 1999 BILL

1 AN ACT  ...; relating to: eligibility requirements for private security permits.

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### *Analysis by the Legislative Reference Bureau*

Under current law, certain individuals who are employed to perform private security activities, such as patrolling private property, must obtain a private security permit from the department of regulation and licensing (DORL). An individual is not eligible for such a permit if he or she has been convicted of a felony, unless he or she has been pardoned for that felony.

This bill provides that an individual who has been convicted of a felony and has not been pardoned for that felony is eligible for a private security permit if the conduct on which the felony conviction is based is no longer punishable as a felony under state law in effect at the time that the individual applies for the permit. In addition, the individual must have no other felony or misdemeanor conviction subsequent to the conviction that is no longer punishable as a felony.

For further information **see** the **state** 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:***

2 SECTION 1. 440.26 (5m) (a) 2. of the statutes is renumbered 440.26 (5m) (a) 2.

3 (intro.) and amended to read:



by  
wed  
2/9  
4:00 PM

(2)

**1999 BILL**

RM NOT  
PUN.

- 1 **AN ACT** to renumber and amend 440.26 (5m) (a) 2.; and to create 440.26 (5m)
- 2 (a) 2. b. of the statutes; relating to: eligibility requirements for private security
- 3 permits.

**Analysis by the Legislative Reference Bureau**

Under current law, certain individuals who are employed to perform private security activities, such as patrolling private property, must obtain a private security permit from the department of regulation and licensing (DORL). An individual is not eligible for such a permit if he or she has been convicted of a felony, unless he or she has been pardoned for that felony.

This bill provides that an individual who has been convicted of a felony and has not been pardoned for that felony is eligible for a private security permit if the conduct on which the felony conviction is based is no longer punishable as a felony under state law in effect at the time that the individual applies for the permit. In addition, the individual must have no other felony ~~or misdemeanor~~ conviction subsequent to the conviction that is no longer punishable as a felony.

For further information see the **state** 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:**

**BILL**

1           **SECTION 1.** 440.26 (5m) (a) 2. of the statutes is renumbered 440.26 (5m) (a) 2.  
2 (intro.) and amended to read:

3           440.26 (5m) (a) 2. (intro.) The individual has not been convicted in this state  
4 or elsewhere of a felony, unless ~~he or she~~ any of the following apply:

5           a. The individual has been pardoned for that felony.

6           **SECTION 2.** 440.26 (5m) (a) 2. b. of the statutes is created to read:

7           440.26 **(5m)** (a) 2. b. The conduct on which that felony conviction is based is no  
8 longer punishable as a felony under the laws of this state as of the date of the  
9 individual's application for the private security permit and, subsequent to that  
10 conviction, the individual has not been convicted in this state or elsewhere of another  
11 felony of a misdemeanor.

(END)

12



**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 02/08/2000

To: Representative Grothman

Relating to LRB drafting number: LRB-4492

**Topic**

Eligibility for private security permit

**Subject(s)**

Occupational Reg. - misc

1. **JACKET** the draft for introduction \_\_\_\_\_ 

in the Senate or the Assembly  (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-356 1. If you have any questions relating to the attached draft, please feel free to call me.

Mark D. Kunkel, Legislative Attorney  
Telephone: (608) 266-O 13 1