1999 ASSEMBLY BILL 918

March 22, 2000 – Introduced by Representatives Grothman, Kestell, Musser, Bock, Skindrud and Sykora, cosponsored by Senator Robson. Referred to Committee on Rules.

- 1 **A**N **A**CT *to renumber and amend* 440.26 (5m) (a) 2.; *to amend* 440.26 (2) (c) 2.;
- and to create 440.26 (5m) (a) 2. b. of the statutes; relating to: eligibility
- 3 requirements for private security permits and private detective licenses.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, an individual may not act as a private detective unless he or she is issued a license by the department of regulation and licensing (DORL). In addition, certain individuals who are employed to perform private security activities, such as patrolling private property, must obtain a private security permit from DORL. An individual is not eligible for such a license or 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 such a license or 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 license or permit.

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:

ASSEMBLY BILL 918

SECTION 1. 440.26 (2) (c) 2. of the statutes is amended to read:
440.26 (2) (c) 2. An individual who has been convicted in this state or elsewhere
of a felony and who has not been pardoned for that felony is not eligible for a license
under this section, unless the conduct on which that felony conviction is based is no
longer punishable as a felony under the laws of this state as of the date of the
application for the private detective license.
SECTION 2. 440.26 (5m) (a) 2. of the statutes is renumbered 440.26 (5m) (a) 2.
(intro.) and amended to read:
440.26 (5m) (a) 2. (intro.) The individual has not been convicted in this state
or elsewhere of a felony, unless he or she any of the following apply:
a. The individual has been pardoned for that felony.
SECTION 3. 440.26 (5m) (a) 2. b. of the statutes is created to read:
440.26 (5m) (a) 2. b. The conduct on which that felony conviction is based is no
longer punishable as a felony under the laws of this state as of the date of the
individual's application for the private security permit.
(END)