

**2001 DRAFTING REQUEST**

**Bill**

Received: 12/27/2000

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:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Eligibility for private security permit

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**Instructions:**

Redraft 1999 AB 779, as amended by AA1

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**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>
/?	kunkemd 12/27/2000	jdye 12/28/2000		_____			State
/1			rschluet 01/07/2001	_____	lrb_docadmin 01/08/2001	lrb_docadmin 01/10/2001	

FE Sent For:

<END>

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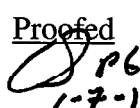
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1/?	kunkemd	1/21/00 jld	 1-5-1	 1-7-1			

FE Sent For:

<END>

D-NOTE

JLD -1675/1

# 1999 ASSEMBLY BILL 779

with certain exceptions

February 22, 2000 - Introduced by Representatives GROTHMAN, KESTELL, MUSSER, BOCK, SKINDRUD and SYKORA, cosponsored by Senator ROBSON. Referred to Committee on Labor and Employment.

Regen

In addition, an individual may not act as a private detective, investigator, or supplier of private security

- 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 and private detective licenses

### 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 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:**

personnel without a license issued by DORL.

ASSEMBLY BILL 779

SECTION 1

INSERT 2-1

PWF

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~~ <sup>applies</sup>:

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

6 SECTION 2. 440.26 (5m) (a) 2. b. <sup>x</sup> 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.

12 (END)

**ASSEMBLY AMENDMENT 1,  
TO 1999 ASSEMBLY BILL 779**

March 10, 2000 - Offered by Representative GROTHMAN.

INSERT 2-1

At the locations indicated, amend the bill as follows:

1. Page 2, line 1: before that line insert.

SECTION 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.

END OF INSERT

2. Page 2, line 1: delete "1" and substitute "11"

3. Page 2, line 9: delete the material beginning with "and" and ending with "felony" on line 11.

(END)

PWF

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1675/1dn

MDK:.....  
^

Jld

Representative Grothman:

This bill is identical to 1999 AB<sup>↑</sup>779, as amended by AA<sub>△</sub>1.

Mark D. Kunkel  
Legislative Attorney  
Phone: (608) 266-0131  
E-mail: mark.kunkel@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1675/1dn  
MDK:jld:rs

January 5, 2001

Representative Grothman:

This bill is identical to 1999 AB-779, as amended by AA 1.

Mark D. Kunkel  
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Phone: (608) 266-0131  
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# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
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MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

January 8, 2001

### MEMORANDUM

To: Representative Grothman

From: Mark D. Kunkel, Legislative Attorney

Re: LRB-1675 Eligibility for private security permit

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

  X   JACKET FOR ASSEMBLY \_\_\_\_\_ JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-0131 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.