

## 2001 ASSEMBLY BILL 186

March 8, 2001 – Introduced by Representatives WALKER, KAUFERT, J. FITZGERALD, GRONEMUS, GROTHMAN, HOVEN, HUEBSCH, HUNDERTMARK, JESKEWITZ, KEDZIE, KESTELL, LADWIG, LEIBHAM, NASS, OLSEN, OTT, PLALE, STONE, SUDER, TOWNSEND, URBAN, VRAKAS, WADE, WARD and ZIEGELBAUER, cosponsored by Senators DARLING, ELLIS, S. FITZGERALD, HUELSMAN, ROESSLER and SCHULTZ. Referred to Committee on Labor and Workforce Development.

1     **AN ACT** *to repeal* 111.335 (1) (cg) 3.; *to renumber and amend* 111.335 (1) (cm);  
2           *to amend* 111.335 (1) (c); and *to create* 111.335 (1) (cm) 2. to 4. of the statutes;  
3           **relating to:** permitting an employer to refuse to employ or to terminate from  
4           employment an individual who has been convicted of a felony and who has not  
5           been pardoned.

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### ***Analysis by the Legislative Reference Bureau***

Current law, subject to certain exceptions, prohibits discrimination in employment based on conviction record. Current law specifies, however, that it is not employment discrimination because of conviction record to refuse to employ, or to bar or terminate from employment, any individual who has been convicted of any felony, misdemeanor, or other offense, the circumstances of which substantially relate to the circumstances of the particular job. This bill expands that exception to the prohibition against employment discrimination based on conviction record by specifying that it is not employment discrimination because of conviction record to refuse to employ, or to bar or terminate from employment, an individual who has been convicted of a felony and who has not been pardoned for that felony, whether or not the circumstances of the felony substantially relate to the circumstances of the particular job.

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

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

1           **SECTION 1.** 111.335 (1) (c) of the statutes is amended to read:

2           111.335 (1) (c) Notwithstanding s. 111.322, it is not employment discrimination  
3 because of conviction record to refuse to employ or license, or to bar or terminate from  
4 employment or licensing, any individual who of the following:

5           1. Has An individual who has been convicted of any felony, misdemeanor, or  
6 other offense the circumstances of which substantially relate to the circumstances  
7 of the particular job or licensed activity; or,

8           2. Is An individual who is not bondable under a standard fidelity bond or an  
9 equivalent bond where when such bondability is required by state or federal law; or  
10 administrative regulation or established business practice of the employer.

11           **SECTION 2.** 111.335 (1) (cg) 3. of the statutes is repealed.

12           **SECTION 3.** 111.335 (1) (cm) of the statutes is renumbered 111.335 (1) (cm)  
13 (intro.) and amended to read:

14           111.335 (1) (cm) (intro.) Notwithstanding s. 111.322, it is not employment  
15 discrimination because of conviction record to refuse to employ as an installer of  
16 burglar alarms a person, or to bar or terminate from employment, any of the  
17 following:

18           1. An individual who has been convicted of a felony and who has not been  
19 pardoned for that felony.

20           **SECTION 4.** 111.335 (1) (cm) 2. to 4. of the statutes are created to read:

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1           111.335 (1) (cm) 2. An individual who has been convicted of a felony, the  
2           circumstances of which substantially relate to the circumstances of the particular  
3           job, and who has been pardoned for that felony.

4           3. An individual who has been convicted of a misdemeanor or other offense, the  
5           circumstances of which substantially relate to the circumstances of the particular  
6           job.

7           4. An individual who is not bondable under a standard fidelity bond or an  
8           equivalent bond when such bondability is required by state or federal law,  
9           administrative regulation, or established business practice of the employer.

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**(END)**