

**2001 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-SB55)**

Received: 06/21/2001

Received By: malaigm

Wanted: Soon

Identical to LRB:

For: Assembly Republican Caucus

By/Representing: Raschka

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Addl. Drafters:

Subject: **Discrimination - employment**

Extra Copies:

Submit via email: NO

Requester's email:

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**Pre Topic:**

ARC:.....Raschka - AM01,

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**Topic:**

Employment discrimination based on conviction record; exception for unpardoned felons

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**Instructions:**

See Attached

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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>
/?	malaigm 06/21/2001	csicilia 06/21/2001		_____			
/1			rschluet 06/21/2001	_____	lrb_docadmin 06/21/2001		

FE Sent For:

<END>

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1?	malaigm	<i>g cis 6/21/01</i>	<i>[Signature]</i>	<i>[Signature]</i>			

*6-25-1*

FE Sent For:

<END>

Gordon  
This was part of ARC pkg on Justice + corrections  
Raschka

Reserve judge requirement (1999 AB 826)

This bill prohibits the appointment of any person as a reserve judge if that person was defeated at the most recent time that he or she sought election to a circuit court judgeship.

Bob

Fair employment (2001 AB 186)

Permitting an employer to refuse to employ or to terminate from employment an individual who as been convicted of a felony and who has not been pardoned.

GMM

Drug Dealer Liability (LRB 2602/P2)

Creating liability for a person involved in the distribution, possession or sale of illegal drugs.

Bob

Sex offenders working with children (1999 AB 284)

Prohibit child sex offenders from working or volunteering with children and providing a penalty.

robin

Civil forfeitures for criminal acts (1999 SB 78)

Eliminating recovery for personal injury for persons injured while involved in a felony.

Bob

**Justice**

**Attorney General Authority In Civil Rights Actions and Inquests (Comparative Document JFC/Gov. p. 482, #19)**

Remove part of the state statute pertaining to **165.10 Civil rights enforcement**. If any person, whether or not acting under color of law, interferes with the exercise or enjoyment by any individual of a right secured by the constitution or laws of the United States, or of a right secured by the constitution or laws of this state, the attorney general may bring an action for injunction or other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right secured. *No Fiscal Effect.*

Bob

- Corrections package agreed to by Kaufert, Huber and Coggs saved **\$44 million GPR (Motion 1250)**

- Corrections package passed out of JFC saved **\$36.3 million GPR + \$10 million debt service = Total \$46.3 million**

**ARC package:**

Spends \$536,000

Saves \$ 16,033,400

2001

Date (time) needed soon

LRB b 1320 / 1

**ARC CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

GMM : cjs : \_\_\_\_\_

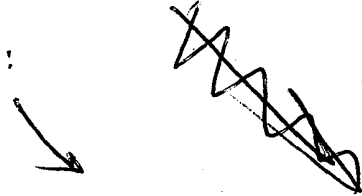
See form **AMENDMENTS — COMPONENTS & ITEMS.**

**CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 2001 SENATE BILL 55**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 912, line 20: after that line insert:



#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

## 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.

ASSEMBLY BILL 186

~~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:~~

2606n

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, 2606p

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. 2606q

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. 2606r

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

**ASSEMBLY BILL 186**

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. " ←

10

(END)



ARC:.....Raschka – AM01, Employment discrimination based on conviction record; exception for unpardoned felons

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS ASSEMBLY AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 2001 SENATE BILL 55**

1 At the locations indicated, amend the bill as follows:

2 1. Page 912, line 20: after that line insert:

3 “SECTION 2606n. 111.335 (1) (c) of the statutes is amended to read:

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

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

