



2009 ASSEMBLY BILL 304

June 4, 2009 – Introduced by Representatives SOLETSKI, BIES, BERCEAU, BROOKS, MURSAU, A. OTT, SPANBAUER, VAN ROY and ZIGMUNT, cosponsored by Senators A. LASEE and COWLES. Referred to Committee on Judiciary and Ethics.

1 **AN ACT** *to amend* 13.63 (1) (b), 13.63 (2), 13.69 (4) and 13.69 (7); and *to create*
2 13.691 of the statutes; **relating to:** ineligibility of convicted felons for licensure
3 as lobbyists.

Analysis by the Legislative Reference Bureau

Currently, a lobbyist who is convicted of procuring his or her license by fraud or perjury or any other person who is convicted of acting as a lobbyist without being licensed is not eligible to be licensed as a lobbyist for a period of three years from the date of that conviction. In addition, the license of any lobbyist who is convicted of a violation of the lobbying regulation law may be revoked by the Government Accountability Board for a period of not more than three years from the date of that conviction, and a lobbyist who is convicted of a criminal violation of the lobbying regulation law is ineligible for licensure as a lobbyist for a period of five years from the date of that conviction.

This bill provides that no person who is convicted of a felony in any court of this state or of the United States is eligible to be licensed as a lobbyist for a period of five years from the date of conviction or until the person has served his or her sentence and has otherwise satisfied the judgment against him or her, whichever is longer, unless the person is pardoned of the conviction. The bill also directs the board to revoke the license of any lobbyist upon conviction of the lobbyist of a felony in any court of this state or of the United States. The bill provides that any person who becomes ineligible for licensure as a lobbyist or whose license is revoked may apply to the board for reinstatement of his or her license after the mandatory ineligibility

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period. The board may then reinstate the person's license if the board finds that the person is rehabilitated and of good professional repute.

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

1 **SECTION 1.** 13.63 (1) (b) of the statutes is amended to read:

2 13.63 **(1)** (b) Except as provided under par. (am), the board shall not issue a
3 license to an applicant who does not provide his or her social security number. The
4 board shall not issue a license to an applicant or shall revoke any license issued to
5 a lobbyist if the department of revenue certifies to the board that the applicant or
6 lobbyist is liable for delinquent taxes under s. 73.0301. The board shall refuse to
7 issue a license or shall suspend any existing license for failure of an applicant or
8 licensee to pay court-ordered payments of child or family support, maintenance,
9 birth expenses, medical expenses or other expenses related to the support of a child
10 or former spouse or failure of an applicant or licensee to comply, after appropriate
11 notice, with a subpoena or warrant issued by the department of children and families
12 or a county child support agency under s. 59.53 (5) and related to paternity or child
13 support proceedings, as provided in a memorandum of understanding entered into
14 under s. 49.857. No application may be disapproved by the board except an
15 application for a license by a person who is ineligible for licensure under this
16 subsection or s. 13.69 (4) or 13.691 (1) or an application by a lobbyist whose license
17 has been revoked under this subsection or s. 13.69 (7) or 13.691 (2) and only for the
18 period of such ineligibility or revocation.

19 **SECTION 2.** 13.63 (2) of the statutes is amended to read:

20 13.63 **(2)** REVOCATION OF LOBBYING PRIVILEGES. No lobbyist whose license has
21 been revoked under s. 13.69 (7) or 13.691 (2) may engage in lobbying as a lobbyist for

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1 any principal unless or until such person has been reinstated to the practice of
2 lobbying and duly licensed.

3 **SECTION 3.** 13.69 (4) of the statutes is amended to read:

4 13.69 (4) Any lobbyist who procures his or her license by fraud or perjury or any
5 person who acts as a lobbyist without being licensed may be required to forfeit not
6 more than \$1,000 and shall not be eligible to be licensed as a lobbyist for the period
7 of 3 years from the date of such conviction, unless s. 13.691 (1) applies.

8 **SECTION 4.** 13.69 (7) of the statutes is amended to read:

9 13.69 (7) In addition to the penalties imposed for violation of ss. 13.61 to 13.68,
10 the license of any lobbyist who is convicted of a violation may be revoked for a period
11 not to exceed 3 years and a lobbyist who is convicted of a criminal violation is
12 ineligible for licensure for a period of 5 years from the date of conviction, unless s.
13 13.691 (1) applies.

14 **SECTION 5.** 13.691 of the statutes is created to read:

15 **13.691 Conviction of felony. (1)** No person who is convicted of a felony in
16 any court of this state or of the United States is eligible to be licensed as a lobbyist,
17 for a period of 5 years from the date of conviction or until the person has served his
18 or her sentence and has otherwise satisfied the judgment against him or her,
19 whichever is longer, unless the person is pardoned of that conviction, and until the
20 board has reinstated the privilege of the person to be licensed as a lobbyist.

21 **(2)** The board shall revoke the license of any lobbyist upon conviction of the
22 lobbyist of a felony in any court of this state or of the United States.

23 **(3)** The board may reinstate the privilege of any person to be licensed as a
24 lobbyist after the person becomes ineligible for licensure under sub. (1) or the
25 person's license is revoked under sub. (2) if the period of ineligibility under sub. (1)

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1 has expired and the board finds that the person is rehabilitated and of good
2 professional repute.

3 (END)