



**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 304**

September 15, 2009 – Offered by Representative SOLETSKI.

1 **AN ACT to amend** 13.63 (1) (a) and (b), 13.63 (2), 13.69 (4) and 13.69 (7); and **to**
2 **create** 13.691 of the statutes; **relating to:** ineligibility of convicted felons for
3 licensure 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 substitute amendment provides that no person who is convicted of a felony in any court within 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 substitute amendment also directs the board to revoke the license of any lobbyist upon conviction of the lobbyist of a felony in any court within the United States. The substitute amendment

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 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) (a) and (b) of the statutes are amended to read:

2 13.63 (1) (a) An application for a license to act as a lobbyist may be obtained
3 from and filed with the board. Except as authorized under par. (am), an applicant
4 shall include his or her social security number on the application. The applicant
5 shall also state whether the applicant has been convicted of a felony in any court
6 within the United States and if so, the date of the conviction, and whether he or she
7 has served his or her sentence, if any, and has otherwise satisfied the judgment
8 against him or her. The application shall be signed, under the penalty for making
9 false statements under s. 13.69 (6m), by the lobbyist. Upon approval of the
10 application and payment of the applicable license fee under s. 13.75 (1) or (1m) to the
11 board, the board shall issue a license which entitles the licensee to practice lobbying
12 on behalf of each registered principal who or which has filed an authorization under
13 s. 13.65 for that lobbyist and paid the authorization fee under s. 13.75 (4). The license
14 shall expire on December 31 of each even-numbered year.

15 (b) Except as provided under par. (am), the board shall not issue a license to
16 an applicant who does not provide his or her social security number. The board shall
17 not issue a license to an applicant or shall revoke any license issued to a lobbyist if
18 the department of revenue certifies to the board that the applicant or lobbyist is
19 liable for delinquent taxes under s. 73.0301. The board shall refuse to issue a license
20 or shall suspend any existing license for failure of an applicant or licensee to pay

1 court-ordered payments of child or family support, maintenance, birth expenses,
2 medical expenses or other expenses related to the support of a child or former spouse
3 or failure of an applicant or licensee to comply, after appropriate notice, with a
4 subpoena or warrant issued by the department of children and families or a county
5 child support agency under s. 59.53 (5) and related to paternity or child support
6 proceedings, as provided in a memorandum of understanding entered into under s.
7 49.857. No application may be disapproved by the board except an application for
8 a license by a person who is ineligible for licensure under this subsection or s. 13.69
9 (4) or 13.691 (1) or an application by a lobbyist whose license has been revoked under
10 this subsection or s. 13.69 (7) or 13.691 (2) and only for the period of such ineligibility
11 or revocation.

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

13 13.63 (2) REVOCATION OF LOBBYING PRIVILEGES. No lobbyist whose license has
14 been revoked under s. 13.69 (7) or 13.691 (2) may engage in lobbying as a lobbyist for
15 any principal unless or until such person has been reinstated to the practice of
16 lobbying and duly licensed.

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

18 13.69 (4) Any lobbyist who procures his or her license by fraud or perjury or any
19 person who acts as a lobbyist without being licensed may be required to forfeit not
20 more than \$1,000 and shall not be eligible to be licensed as a lobbyist for the period
21 of 3 years from the date of such conviction, unless s. 13.691 (1) applies.

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

23 13.69 (7) In addition to the penalties imposed for violation of ss. 13.61 to 13.68,
24 the license of any lobbyist who is convicted of a violation may be revoked for a period
25 not to exceed 3 years and a lobbyist who is convicted of a criminal violation is

1 ineligible for licensure for a period of 5 years from the date of conviction, unless s.
2 13.691 (1) applies.

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

4 **13.691 Conviction of felony. (1)** No person who is convicted of a felony in
5 any court within the United States is eligible to be licensed as a lobbyist, for a period
6 of 5 years from the date of conviction or until the person has served his or her
7 sentence and has otherwise satisfied the judgment against him or her, whichever is
8 longer, unless the person is pardoned of that conviction, and until the board has
9 reinstated the privilege of the person to be licensed as a lobbyist.

10 **(2)** The board shall revoke the license of any lobbyist upon conviction of the
11 lobbyist of a felony in any court within the United States.

12 **(3)** The board may reinstate the privilege of any person to be licensed as a
13 lobbyist after the person becomes ineligible for licensure under sub. (1) or the
14 person's license is revoked under sub. (2) if the period of ineligibility under sub. (1)
15 has expired and the board finds that the person is rehabilitated and of good
16 professional repute.

17 **(END)**