



2009 ASSEMBLY BILL 47

1 **AN ACT** *to amend* 440.03 (13) (c) and 440.08 (2) (a) (intro.); and *to create* 440.03
2 (13) (b) 32m., 440.03 (17) and 440.08 (2) (a) 38j. of the statutes; **relating to:**
3 prohibiting persons convicted of certain felonies from providing martial arts
4 instruction to minors.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 440.03 (13) (b) 32m. of the statutes is created to read:
6 440.03 **(13)** (b) 32m. Juvenile martial arts instructor.
7 **SECTION 2.** 440.03 (13) (c) of the statutes is amended to read:
8 440.03 **(13)** (c) The department shall require an applicant for a private
9 detective license or a private security permit under s. 440.26, an applicant for a
10 juvenile martial arts instructor permit under sub. (17), and a person for whom the

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1 department conducts an investigation under par. (b), to be photographed and
2 fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's
3 fingerprints. The department of justice may submit the fingerprint cards to the
4 federal bureau of investigation for the purpose of verifying the identity of the persons
5 fingerprinted and obtaining records of their criminal arrests and convictions.

6 **SECTION 3.** 440.03 (17) of the statutes is created to read:

7 440.03 (17) (a) In this subsection:

8 1. "Disqualified offender" means any of the following:

9 a. A person who is required to comply with the reporting requirements under
10 s. 301.45 (1g).

11 b. A person who has been convicted of a violation of s. 940.01 or a violation of
12 the law of another state or the United States that would be a violation of s. 940.01
13 if committed in this state.

14 2. "Martial arts instruction" means instruction in self-defense or combat, but
15 does not include instruction in the use of a firearm, bow and arrow, or crossbow.

16 (b) No person may, for a fee, provide martial arts instruction to a minor if the
17 person is a disqualified offender.

18 (c) No person may, for a fee, provide martial arts instruction to a minor unless
19 the person has been issued a permit under this subsection.

20 (d) Except as provided in par. (e), the department shall grant a juvenile martial
21 arts instructor permit to a person if the person pays the fee specified in s. 440.05 (1).

22 (e) Pursuant to s. 440.03 (13) (b), the department shall investigate an applicant
23 for a permit under this subsection. Notwithstanding ss. 111.321, 111.322, and
24 111.335, the department may not issue a juvenile martial arts instructor permit to
25 a person who is a disqualified offender and shall revoke a permit issued to a person

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1 under this subsection if, after the permit is issued, the person becomes a disqualified
2 offender.

3 (f) If a person who holds a permit under this subsection becomes a disqualified
4 offender, the person shall notify the department within 14 days of the date of the
5 conviction.

6 (g) The department may conduct periodic audits to determine whether any
7 person who holds a permit under this subsection is a disqualified offender.

8 **SECTION 4.** 440.08 (2) (a) (intro.) of the statutes, as affected by 2007 Wisconsin
9 Acts 20 and 189, is amended to read:

10 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,
11 444.03, 444.11, ~~448.065~~, 447.04 (2) (c) 2., 448.065, 449.17 (1m) (d), 449.18 (2) (d), and
12 461.02 (3) (a) and (b) and (4), the renewal dates for credentials are as follows:

13 **SECTION 5.** 440.08 (2) (a) 38j. of the statutes is created to read:

14 440.08 (2) (a) 38j. Juvenile martial arts instructor: September 1 of each
15 even-numbered year.

16 **SECTION 6. Effective date.**

17 (1) The treatment of section 440.03 (17) (b) and (c) of the statutes takes effect
18 on the first day of the 4th month beginning after the effective date of this subsection.

19 (END)