2009 DRAFTING REQUEST

Bill

Received: 11/12/2008					Received By: tkuczens				
Wanted: As time permits					Identical to LRB:				
For: Marlin Schneider (608) 266-0215					By/Representing: Marlin Schneider				
This file n	nay be shown	to any legislator	:: NO		Drafter: tkuczens	\$			
May Cont	act:				Addl. Drafters:				
Subject:	Occupat	tional Reg pr	of lic		Extra Copies:				
Submit via	a email: YES								
Requester	's email:	Rep.Schneid	der@legis.w	isconsin.go/	v				
Carbon co	py (CC:) to:	tracy.kucze	nski@legis.	wisconsin.g	ov				
Pre Topic	2:		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,						
No specifi	c pre topic giv	ven							
Topic:									
Regulating	Regulating martial arts instruction to a minor								
Instruction	Instructions:								
See attach	See attached								
Drafting	History:								
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required		
/?	tkuczens 11/13/2008	wjackson 11/20/2008		***************************************			State		
/1			mduchek 11/21/2008	3	cduerst 11/21/2008	sbasford 12/03/2008			
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Bill

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May Co	ntact:				Addl. Drafters:				
Subject:	Occupa	tional Reg p	Extra Copies:						
Submit [,]	via email: YES								
Request	er's email:	Rep.Schne	ider@legis.	.wisconsin.go	v				
Carbon	Carbon copy (CC:) to: tracy.kuczenski@legis.wisconsin.gov								
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Topic:									
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Instruc	tions:			· · · · · · · · · · · · · · · · · · ·					
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/?	tkuczens 11/13/2008	wjackson 11/20/2008					State		
/1			mduchek 11/21/200	08	cduerst 11/21/2008				

<**END>**

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For: Marlin Schneider (608) 266-0215 By/Representing: Marlin Schneider

This file may be shown to any legislator: **NO**Drafter: **tkuczens**

May Contact: Addl. Drafters:

Subject: Occupational Reg. - prof lic Extra Copies:

Submit via email: YES

Requester's email: Rep.Schneider@legis.wisconsin.gov

Carbon copy (CC:) to: tracy.kuczenski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Regulating martial arts instruction to a minor

Instructions:

See attached

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>

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FE Sent For:

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STATE OF WISCONSIN – LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

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2009 - 2010 2007) - 2008 LEGISLATURE

LRB-0756/1 TKK:wlj:nwn RMNR

2007 2007/ASSEMBEY BILL 17

in 11/13/08

January 12, 2007 – Introduced by Representative Schneider. Referred to Committee on Criminal Justice.

Legen

- 1 AN ACT *to amend* 440.03 (13) (c) and 440.08 (2) (a) (intro.); and *to create* 440.03
- 2 (13) (b) 37m., 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

This bill prohibits a person from providing martial arts instruction to a minor for a fee without a license granted by the Department of Regulation and Licensing (DRL). Under the bill, martial arts instruction means instruction in self–defense or combat, but not instruction in the use of a firearm, bow and arrow, or crossbow. The bill requires the Department of Justice to conduct a criminal background check on a person who applies for a license. Moderate bill DRL is regarded to grant a license to an applicant who pays a fee of DRL determines that the applicant has not been convicted of certain disqualifying offenses specified in the bill, including certain violent crimes, crimes against children, and drug crimes.

For further information see the *state* 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:

SECTION 1. 440.03 (13) (b) 37m of the statutes is created to read:

Ynder

ASSEMBLY BILL 17

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440.03 (13)	(b) 37m.	Jwenile Martial arts	instructor.

SECTION 2. 440.03 (13) (c) of the statutes is amended to read:

440.03 (13) (c) The department shall require an applicant for a private detective license or a private security permit under s. 440.26, an applicant for a juvenile martial arts instructor permit under sub. (17), and a person for whom the department conducts an investigation under par. (b), to be photographed and fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purpose of verifying the identity of the persons fingerprinted and obtaining records of their criminal arrests and convictions.

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

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

- 1. "Disqualifying offense" means any of the following:
- a. A serious crime, as defined in s. 969.08 (10) (b). \checkmark
- b. A felony under ch. 961.
- c. A violation of the law of another state or the United States that would be a serious crime, as defined in s. 969.08 (10) (b), or a felony under ch. 961 if committed in this state.
- 2. "Martial arts instruction" means instruction in self-defense or combat, but does not include instruction in the use of a firearm, bow and arrow, or crossbow.
- (b) No person may, for a fee, provide martial arts instruction to a minor if the person has been convicted of a disqualifying offense.
- (c) No person may, for a fee, provide martial arts instruction to a minor unless the person has been issued a permit under this subsection.

ASSEMBLY BILL 17

1	(d) Except as provided in par. (e), the department shall grant a juvenile martial
2	arts instructor permit to a person if the person pays the fee specified in s. 440.05 (1). \checkmark
3	(e) Pursuant to s. 440.03 (13) (b), the department shall investigate an applicant
4	for a permit under this subsection. Notwithstanding ss. 111.321, 111.322, and
5	111.335, the department may not issue a juvenile martial arts instructor permit to
6	a person who has been convicted of a disqualifying offenser and shall revoke a permit
7	issued to a person under this subsection if, after permit is issued, the person is
8	convicted of a disqualifying offense.
9	(f) If a person who holds a permit under this subsection is convicted of a
10	disqualifying offense, the person shall notify the department within 14 days of the
11	date of the conviction.
12	(g) The department may conduct periodic audits to determine whether any
13	person who holds a permit under this subsection has been convicted of a
14	disqualifying offense. 3 as affected by 2007 wisconcin Acts 20
15)	SECTION 4. 440.08 (2) (a) (intro.) of the statutes is amended to read:
16	440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,
17)	444.03, 444.11, 448.065, 447.04 (2) (c) 2., 448.065, 449.17 (1m) (d), and 449.18 (2) (d),
18	the renewal dates and renewal fees for credentials are as follows:
19	SECTION 5. 440.08 (2) (a) 38j. of the statutes is created to read:
20	440.08 (2) (a) 38j. Juvenile martial arts instructor: September 1 of each
2)	even–numbered year; \$53
22	Section 6. Effective date.
23	(1) The treatment of section 440.03 (17) (b) and (c) of the statutes takes effect

24

on the first day of the 4th month beginning after the effective date of this subsection.

Basford, Sarah

From:

Schneider, Marlin

Sent:

To:

Subject:

Wednesday, December 03, 2008 10:48 AM
LRB.Legal
Draft Review: LRB 09-0745/1 Topic: Regulating martial arts instruction to a minor

Please Jacket LRB 09-0745/1 for the ASSEMBLY.