Received By: mgallagh

2011 DRAFTING REQUEST

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Received: 02/06/2012

Wanted:	As time permi	its			Companion to Ll	RB:	
For: Pam Galloway (608) 266-2502				By/Representing: AJ Scholz Drafter: mgallagh			
May Contact: Subject: Occupational Reg misc							
		nisc		Addl. Drafters:			
					Extra Copies:		
Submit v	via email: YES						
Requeste	er's email:	Sen.Gallov	vay@legis.v	wisconsin.go	v		
Carbon o	copy (CC:) to:	michael.ga	llagher@le	gis.wisconsii	1.gov		
Pre Top	oic:						
No speci	ific pre topic gi	ven					
Topic:			,,,,,,				
Prevent	DSPS from req	uiring fingerpri	nts for licer	sure for priva	ate professions		
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Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
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/1			jfrantze 02/08/20	12	mbarman 02/08/2012	ggodwin 02/08/2012	
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2011 DRAFTING REQUEST

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					Extra Copies:		
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Requeste	er's email:	Sen.Gallov	vay@legis.v	visconsin.gov	•		
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FE Sent	For:			∠END\			

2011 DRAFTING REQUEST

Bill

Received: 02/00/2012	leceived: 0	2/06/2012
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Received By: mgallagh

Wanted: As time permits

Companion to LRB:

For: Pam Galloway (608) 266-2502

By/Representing: AJ Scholz

May Contact:

Drafter: mgallagh

Subject:

Occupational Reg. - misc

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email:

Sen.Galloway@legis.wisconsin.gov

Carbon copy (CC:) to:

michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Prevent DSPS from requiring fingerprints for licensure for private professions

Instructions:

See attached

Drafting History:

Vers.

Drafted

Reviewed

Typed Proofed

Submitted

Jacketed

Required

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mgallagh

FE Sent For:

<END>



In: 7/6/2017
State of Misconsin
2011 - 2012 LEGISLATURE

2011 BILL



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AN ACT *to amend* 440.03 (13) (b) (intro.); and *to create* 440.15 of the statutes; relating to: prohibiting fingerprinting in connection with professional credentials issued by the Department of Safety and Professional Services or an examining board or affiliated credentialing board, except as provided in the statutes, and requiring the exercise of rule–making authority.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Safety and Professional Services (DSPS) and examining boards and affiliated credentialing boards under DSPS administer Wisconsin's professional credentialing laws. Current law requires DSPS to obtain fingerprints from the following persons:

- 1. An applicant for a private detective license or private security permit.
- 2. An applicant for a juvenile martial arts instructor permit.
- 3. An applicant for or a holder of numerous other professional credentials in connection with an investigation by DSPS concerning whether an applicant or credential holder has been charged with or convicted of a crime.

Those fingerprints may be submitted by the department of justice to the federal bureau of investigation to verify the identity of the person fingerprinted and obtain records of the person's criminal history, if any.

This bill prohibits DSPS or an examining board or affiliated credentialing board from requiring that an applicant for or a holder of a professional credential issued by DSPS or a board submit fingerprints in connection with that credential,

BILL

except as described above with respect to DSPS. The bill also requires that DSPS promulgate rules that establish the criteria DSPS will use to determine whether an investigation concerning a credential applicant's or credential holder's arrest or conviction record is necessary.

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

SECTION 1. 440.03 (13) (b) (intro.) of the statutes is amended to read:

440.03 (13) (b) (intro.) The department may investigate whether an applicant for or holder of any of the following credentials has been charged with or convicted of a crime only pursuant to rules promulgated by the department under this paragraph, including rules that establish the criteria that the department will use to determine whether an investigation under this paragraph is necessary, except as provided in par. (c):

Section 2. 440.15 of the statutes is created to read:

440.15 No fingerprinting. Except as provided under s. 440.03 (13) (c), the department or a credentialing board may not require that an applicant for a credential or a credential holder be fingerprinted or submit fingerprints in connection with the department's or the credentialing board's credentialing.

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Godwin, Gigi

From: Perrine, Nicholas

Sent: Wednesday, February 08, 2012 2:21 PM

To: LRB.Lega

Subject: Draft Review: LRB 11-4031/1 Topic: Prevent DSPS from requiring fingerprints for licensure for private

professions

Please Jacket LRB 11-4031/1 for the SENATE.