

**2013 DRAFTING REQUEST**

**Bill**

Received: 7/17/2013 Received By: gmalaise  
Wanted: As time permits Same as LRB:  
For: Lena Taylor (608) 266-5810 By/Representing: Eric Peterson  
May Contact: Drafter: gmalaise  
Subject: Employ Priv - discrimination Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Sen.Taylor@legis.wisconsin.gov  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Employment discrimination based on conviction record; consideration of conviction record before job interview

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**Instructions:**

Redraft 2011 SB 309

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**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>
/?	gmalaise 7/17/2013	scalvin 7/25/2013	rschluet 7/25/2013	_____			
/1				_____	srose 7/25/2013	mbarman 7/26/2013	

FE Sent For:

<END>

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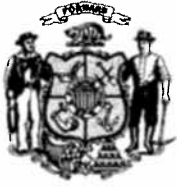
Redraft 2011 SB 309

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1?	gmalaise	11 SAC 07/25/2013		_____	_____		

FE Sent For:

<END>



State of Wisconsin  
2011 - 2012 LEGISLATURE

LN 7/17



LRB-3447/1

2707/1

GMM:GTC

p  
Sac

3

2011 SENATE BILL 309

November 28, 2011 - Introduced by Senator TAYLOR, cosponsored by Representatives C. TAYLOR, ZAMARRIPA, POCAN, PASCH, ROYS, BERCEAU, FIELDS, HEBL and KESSLER. Referred to Committee on Labor, Public Safety, and Urban Affairs.

LPS: make change marked in topic on request sheet

gen cast

- 1 AN ACT *to create* 111.335 (1) (am) of the statutes; **relating to:** prohibiting
- 2 consideration of the conviction record of an applicant for employment before the
- 3 applicant has been selected for an interview.

**Analysis by the Legislative Reference Bureau**

Current law, subject to certain exceptions, prohibits discrimination in employment based on conviction record. Current law specifies, however, that it is not employment discrimination because of conviction record to refuse to employ an individual who has been convicted of a felony, misdemeanor, or other offense, the circumstances of which substantially relate to the circumstances of the particular job.

This bill provides that employment discrimination because of conviction record includes requesting an applicant for employment, on an application form or otherwise, to supply information regarding the conviction record of the applicant, or otherwise inquiring into or considering the conviction record of an applicant for employment, before the applicant has been selected for an interview by the prospective employer.

The bill, however, does not prohibit an employer from notifying applicants for employment that an individual with a particular conviction record may be disqualified by law or the employer's policies from employment in particular positions.

**SENATE BILL 309**

\* 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:*

1           **SECTION 1.** 111.335 (1) (am) of the statutes is created to read:

2           111.335 (1) (am) 1. Employment discrimination because of conviction record  
3 includes requesting an applicant for employment, on an application form or  
4 otherwise, to supply information regarding the conviction record of the applicant, or  
5 otherwise inquiring into or considering the conviction record of an applicant for  
6 employment, before the applicant has been selected for an interview by the  
7 prospective employer.

8           2. Subdivision 1. does not prohibit an employer from notifying applicants for  
9 employment that, subject to this section and ss. 111.321 and 111.322, an individual  
10 with a particular conviction record may be disqualified by law or under the  
11 employer's policies from employment in particular positions.

12           **SECTION 2. Initial applicability.**

13           (1) CONSIDERATION OF CONVICTION RECORD. This act first applies to an application  
14 for employment submitted to an employer on the effective date of this subsection.

15           **SECTION 3. Effective date.**

16           (1) CONSIDERATION OF CONVICTION RECORD. This act takes effect on the first day  
17 of the 6th month beginning after publication.

18                           (END)

**Parisi, Lori**

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**From:** Peterson, Eric  
**Sent:** Thursday, July 25, 2013 2:56 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -2707/1 Topic: Employment discrimination based on conviction record; consideration of conviction record before job interview

Please Jacket LRB -2707/1 for the SENATE.