



2013 ASSEMBLY BILL 179

1 **AN ACT** *to create* 238.045 of the statutes; **relating to:** private interests in
2 Wisconsin Economic Development Corporation contracts.

Analysis by the Legislative Reference Bureau

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

3 **SECTION 1.** 238.045 of the statutes is created to read:
4 **238.045 Private interest in public contract.** (1) A member of the board
5 or an employee of the corporation to whom the board delegates its authority to
6 contract shall notify the corporation's legal counsel or, if the corporation's legal
7 counsel is unavailable, the chief executive officer of the corporation if the member or
8 employee has a direct or indirect, private, pecuniary interest in a contract that is
9 being negotiated, bid for, or entered into with the corporation. If the corporation's
10 legal counsel or chief executive officer is notified under this section, he or she shall

ASSEMBLY BILL 179**SECTION 1**

1 report the name of the individual from whom he or she received the notification and
2 the contract in which the individual has a private, pecuniary interest to the board.
3 A member or employee who notifies the corporation's legal counsel or chief executive
4 officer under this section is not authorized to participate in the member's or
5 employee's capacity as a member of the board or an employee of the corporation in
6 the making of the contract or to perform in regard to the contract some official
7 function requiring the exercise of discretion on the member's or employee's part.

8 (2) An employee of the corporation shall notify the corporation's legal counsel
9 or, if the corporation's legal counsel is unavailable, the chief executive officer of the
10 corporation if the employee has a controlling interest in an entity that is negotiating,
11 bidding for, or entering into a contract with the corporation. If the corporation's legal
12 counsel or chief executive officer is notified under this section, he or she shall report
13 the name of the individual from whom he or she received the notification and the
14 contract at issue to the board. The board shall prohibit the corporation from entering
15 into any contract with an entity in which an employee of the corporation has a
16 controlling interest.

17 (END)