

**2015 DRAFTING REQUEST**

**Bill**

Received: 1/6/2016 Received By: phurley  
For: Dave Hansen (608) 266-5670 Same as LRB: -3165  
May Contact: By/Representing:  
Subject: Criminal Law - miscellaneous Drafter: phurley  
Addl. Drafters:  
Extra Copies:

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

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Making fraudulent statement to obtain WEDC assistance

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	phurley 1/6/2016	jdyer 1/7/2016	_____	mbarman 1/7/2016	sbasford 1/8/2016	State S&L

FE Sent For:

at  
intro

<END>



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-3165/1  
MPG&PJH:jld&ahe

keep up 8411

2015 BILL

1-8

x Regen

1 AN ACT *to create* 238.121 and 946.795 of the statutes; **relating to:** providing  
2 fraudulent information to the Wisconsin Economic Development Corporation  
3 and providing a criminal penalty.

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***Analysis by the Legislative Reference Bureau***

This bill establishes criminal penalties and other consequences for committing fraud against the Wisconsin Economic Development Corporation (WEDC). Under the bill, no one may make or cause to be made a false statement on an application for a grant, loan, tax benefit, or other benefit or payment (benefit) from WEDC or make or cause to be made a false statement of a material fact used to determine eligibility for a benefit from WEDC.

Additionally, if a person knows of the occurrence of any event that would affect the initial or continued eligibility for a benefit from WEDC, he or she may not conceal or fail to disclose that event in order to secure a benefit from WEDC or to secure a larger benefit than he or she is entitled or eligible to receive. Finally, no one may use a benefit from WEDC that is intended for a specific use for any other use. A person who does any of these things is guilty of a Class E felony and may be imprisoned for up to 15 years, fined up to \$50,000, or both.

Also, under the bill, if a person, or the person's authorized agent on behalf of that person, intentionally commits such economic development benefits fraud, the person, including all affiliates and successors, is ineligible for economic development benefits from WEDC for seven years from the date on which the fraudulent act was committed.

**BILL**

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 238.121 of the statutes is created to read:

2           **238.121 Fraud in obtaining economic development benefits. (1)**

3           **DEFINITIONS.** In this section:

4           (a) “Economic development benefits” means a grant, loan, tax credit, or other  
5 assistance under an economic development program administered by the  
6 corporation.

7           (b) “Economic development benefits fraud” means any violation under s.  
8 946.795.

9           **(2)** In addition to any criminal penalty and any requirement to repay economic  
10 development benefits, if a person or the person’s authorized agent on behalf of that  
11 person intentionally commits economic development benefits fraud, the person,  
12 including all affiliates and successors, shall be ineligible for economic development  
13 benefits for 7 years from the date on which the act of economic development benefits  
14 fraud was committed.

15           **SECTION 2.** 946.795 of the statutes is created to read:

16           **946.795 Fraud against the Wisconsin Economic Development**  
17 **Corporation. (1)** In this section, “benefit” means an economic development benefit,  
18 as defined in s. 238.121 (1) (a).

19           **(2)** Whoever does any of the following is guilty of a Class E felony:



**Barman, Mike**

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**From:** Hurley, Peggy  
**Sent:** Friday, January 08, 2016 11:53 AM  
**To:** Barman, Mike  
**Subject:** -4284

Can you please jacket this bill for Senator Hansen?

Peggy Hurley  
Legislative Reference Bureau  
608 266 8906