

2019 DRAFTING REQUEST

Bill

For: Joe Sanfelippo (608) 266-0620 Drafter: mshovers  
 By: Josh Secondary Drafters: mduchek  
 Date: 11/12/2018 May Contact:  
 Same as LRB:

Submit via email: YES  
 Requester's email: Rep.Sanfelippo@legis.wisconsin.gov  
 Carbon copy (CC) to: eric.mueller@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Specify that cities, villages, and towns may prohibit the practice of regulated professions without a state license

Instructions:

See attached. Redraft 2017 AB 929 (LRB -4623/1)

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mshovers 11/12/2018	wjackson 11/20/2018			
/P1			dwalker 11/21/2018		State S&L
/1			lparisi 2/27/2019	dwalker 2/27/2019	State S&L

FE Sent For:

<END>

→ A+ Intro.



State of Wisconsin  
2017 - 2018 LEGISLATURE

-0761/P1

LRB-4623/1  
MES&MED:amn

1411-15-18  
not 11-21-18 if poss

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Wig

2019 ~~2017~~ ASSEMBLY BILL 929

February 9, 2018 - Introduced by Representatives SANFELIPPO, BERCEAU, HUTTON, KREMER, STUCK, SUBECK, THIESFELDT and TUSLER. Referred to Committee on Criminal Justice and Public Safety.

1 AN ACT to renumber 460.17; to amend 460.15; and to create 460.14 (4) and  
2 460.17 (2) of the statutes; relating to: violations of the law relating to the  
3 practice of massage therapy or bodywork therapy, providing a penalty, and  
4 providing a criminal penalty.

**Analysis by the Legislative Reference Bureau**

Under current law, subject to certain exceptions, no person may provide massage therapy or bodywork therapy, designate himself or herself as a massage therapist or bodywork therapist or masseur or masseuse, or use or assume any title or designation that represents the person as a massage therapist or bodywork therapist unless the person is licensed as a massage therapist or bodywork therapist by the Massage Therapy and Bodywork Therapy Affiliated Credentialing Board.

This bill does all of the following with respect to the practice of massage therapy or bodywork therapy:

1. Specifically authorizes a city, village, or town (municipality) to enact and enforce an ordinance prohibiting a person from violating the prohibitions described above unless the person is licensed by the board. The bill authorizes municipalities to impose forfeitures of up to \$1,000 for ordinance violations.

2. Allows the board, in addition to or in lieu of professional discipline or certain other actions that may be taken by the board against a person who violates certain prohibitions relating to massage therapy or bodywork therapy, to assess a forfeiture of not more than \$1,000 for each separate offense.

**ASSEMBLY BILL 929**

3. Adjusts the penalty for violating provisions under state law relating to massage therapy and bodywork therapy, including practicing without the required license, to a criminal fine of not more than \$1,000 for each violation or imprisonment for not more than 90 days, or both. Under current law, the penalty is a civil forfeiture of up to \$1,000.

For further information see the *state and local* 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.** 460.14 (4) of the statutes is created to read:

2           460.14 (4) The affiliated credentialing board may, in addition to or in lieu of a  
3           reprimand or revocation, limitation, suspension, or denial of a license, assess against  
4           a person who has done anything specified under sub. (2) (a) to (j) a forfeiture of not  
5           more than \$1,000 for each separate offense. Each day of continued violation  
6           constitutes a separate offense.

7           **SECTION 2.** 460.15 of the statutes is amended to read:

8           **460.15 Penalty.** Any person who violates this chapter or any rule promulgated  
9           under this chapter ~~shall forfeit~~ may be fined not more than \$1,000 for each violation  
10          or imprisoned for not more than 90 days, or both.

11          **SECTION 3.** 460.17 of the statutes is renumbered 460.17 (1).

12          **SECTION 4.** 460.17 (2) of the statutes is created to read:

13          460.17 (2) (a) A city, village, or town may enact and enforce an ordinance that  
14          prohibits an individual from violating the prohibitions under s. 460.02 unless the  
15          individual is licensed under this chapter as required under s. 460.02.

16          (b) Law enforcement personnel of a city, village, or town may issue citations for  
17          violations of a local ordinance described in par. (a), and the city, village, or town may





State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0761/P1  
MES&MED:wlj

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

NO  
changes

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