



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-0498/P3  
MED:ahe

DOA:.....Potts, BB0059 - Occ. reg. sunrise report

**FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT** ...; **relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**STATE GOVERNMENT**

**OTHER STATE GOVERNMENT**

This bill requires DOA to prepare a report containing certain information on any bill that is introduced in the legislature that requires an individual to obtain a license in order to engage in a particular profession or occupation or that requires that a license be obtained in order for a particular type of business to be owned or operated. The Legislative Reference Bureau must submit any bill to which the requirement applies to DOA, and the report must be distributed before certain actions are taken on the bill in the legislature.

For further information see the *state* 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:*

**SECTION 1.** 13.0963 of the statutes is created to read:

**13.0963 Review of bills creating occupational licenses. (1) DEFINITION.**

In this section, "license" includes any permit, certificate, approval, registration, charter or similar form of permission.

**(2) REPORT ON BILLS CREATING OCCUPATIONAL LICENSES.** (a) If any bill that is introduced in either house of the legislature creates a requirement that an individual obtain a license in order to engage in a particular profession or occupation or a requirement that a license be obtained in order for a particular type of business to be owned or operated, the department of administration shall prepare and issue an occupational license report on the bill within 30 business days after it is introduced. The department shall request information from any individual or business that the department considers likely to be affected by the proposed licensure requirement and shall request a statement or analysis from the agency that would be required to administer the licensure requirement. Individuals, businesses, and agencies shall comply with requests by the department for information that is reasonably necessary for the department to prepare the report. To the greatest extent possible, reports under this section shall be based on the information obtained by the department from individuals, businesses, and agencies under this paragraph.

(b) A bill that requires a report by the department of administration under this section shall have that requirement noted on its jacket when the jacket is prepared. When a bill that requires a report under this section is introduced, the legislative reference bureau shall submit a copy of the bill to the department of administration.

(c) The report prepared under this section shall be printed as an appendix to the applicable bill and shall be distributed in the same manner as amendments. The report shall be distributed before any vote is taken on the bill by either house of the legislature if the bill is not referred to a standing committee, or before any public

hearing is held before any standing committee or, if no public hearing is held, before any vote is taken by the committee. The department of administration shall also publish the report on its Internet site.

**(3) FINDINGS TO BE CONTAINED IN THE REPORT.** The department of administration shall include all of the following in a report prepared under sub. (2):

(a) An evaluation of whether the unregulated practice of the profession, occupation, or business can clearly harm or endanger the health, safety, or welfare of the public, and whether the potential for the harm is recognizable and not remote or speculative.

(b) An evaluation of whether the public can reasonably be expected to benefit from the requirement for the license.

(c) An evaluation of whether the public can be effectively protected by any means other than requiring a license.

(d) An analysis of whether licensure requirements for that profession, occupation, or business exist in other states.

(e) An estimate of the number of individuals or businesses that would be affected by the requirement.

(f) An estimate of the total additional financial burden that will be imposed on an individual or business as a result of the licensure requirement, including education or training costs, examination fees, private credential fees, credential fees imposed by the agency, and other costs that the individual or business will have to incur in order to obtain the license.

(g) Any statement or analysis from the agency that would administer the licensure requirement.

**SECTION 9329. Initial applicability; Legislature.**

(1) OCCUPATIONAL LICENSE REPORTS. The treatment of section 13.0963 of the statutes first applies to a bill introduced on the effective date of this subsection.

**SECTION 9429. Effective dates; Legislature.**

(1) OCCUPATIONAL LICENSE REPORTS. The treatment of section 13.0963 of the statutes and SECTION 9329 (1) of this act take effect on the 14th day after publication.

(END)