



2001 ASSEMBLY BILL 84

February 1, 2001 - Introduced by Representatives SCHNEIDER, WILLIAMS, MUSSER and BOYLE. Referred to Committee on Small Business and Consumer Affairs.

1 **AN ACT to create** 20.143 (3) (e) and 101.112 of the statutes; **relating to:**
2 convenience store, service station, and restaurant security, a grant program for
3 workplace security training, and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill permits counties, cities, villages, and towns to enact local ordinances requiring convenience stores, service stations, and restaurants that are regularly open for business at any time between 8 p.m. and 5 a.m. (at-risk businesses), other than at-risk businesses in which only the owner and his or her family members work during those hours, to do all of the following:

1. Adequately illuminate the parking lot at an intensity determined by the ordinance.

2. If the at-risk business is constructed or converted from another use on or after the effective date of the ordinance, place the cash register and transaction area, and maintain window signs and tinting, so as to provide a clear and unobstructed view of the cash register and transaction area from the street.

3. If the at-risk business is equipped with a security camera, make the recording device of the security camera inaccessible to employees and post a conspicuous sign at the entrance stating that a security camera with an inaccessible recording device is in place on the premises.

In addition to the requirements listed above, the bill also permits a local ordinance enacted under the bill to require the owner of an at-risk business that is subject to the ordinance to do any of the following:

ASSEMBLY BILL 84

1 (b) "Restaurant" has the meaning given in s. 254.61 (5).

2 (c) "Service station" means any place of business that is engaged in the retail
3 sale of gasoline.

4 **(2) LOCAL ORDINANCE.** A county, city, village, or town may enact an ordinance
5 that is in strict conformity with subs. (3) and (4). An ordinance enacted by a county
6 under this subsection is applicable in that part of any city or village located in the
7 county and in any town located in the county, unless the city, village, or town has
8 enacted an ordinance under this subsection.

9 **(3) CONVENIENCE STORE, SERVICE STATION, AND RESTAURANT SECURITY.** (a) An
10 ordinance enacted under sub. (2) shall require the owner of a convenience store,
11 service station, or restaurant that is regularly open for business at any time between
12 8 p.m. and 5 a.m., other than a convenience store, service station, or restaurant in
13 which only the owner or his or her family members work during those hours, to do
14 all of the following:

15 1. Adequately illuminate the parking lot of the convenience store, service
16 station, or restaurant at an intensity determined by the governing body of the county,
17 city, village, or town enacting the ordinance.

18 2. If the convenience store, service station, or restaurant is constructed or
19 converted from another use on or after the effective date of the ordinance, place the
20 cash register and transaction area, and maintain window signs and tinting, so as to
21 provide a clear and unobstructed view of the cash register and transaction area from
22 the street.

23 3. If the convenience store, service station, or restaurant is equipped with a
24 security camera, make the recording device of the security camera inaccessible to
25 employees and post a conspicuous sign at the entrance stating that a security camera

ASSEMBLY BILL 84

1 is in place on the premises and that the recording device of the security camera is
2 inaccessible to employees.

3 (b) In addition to the requirements under par. (a), an ordinance enacted under
4 sub. (2) may require the owner of a convenience store, service station, or restaurant
5 described in par. (a) (intro.) to do any of the following:

6 1. Equip the convenience store, service station, or restaurant with a drop safe
7 that is inaccessible to employees and post a conspicuous sign at the entrance stating
8 that a safe is on the premises and that the safe is inaccessible to employees.

9 2. Require all employees who work at any time between 8 p.m. and 5 a.m. to
10 attend a workplace security training program that has been approved by the
11 attorney general under sub. (5) or (6).

12 (4) PENALTIES. An ordinance enacted under sub. (2) shall provide that any
13 person who violates the ordinance may be required to forfeit not more than \$1,000.

14 (5) WORKPLACE SECURITY TRAINING. The law enforcement agency of a county, city,
15 village, or town that enacts an ordinance under sub. (2) may provide a workplace
16 security training program for persons who are required to attend a workplace
17 security training program under sub. (3) (b) 2. that trains and familiarizes those
18 persons with the security practices required under sub. (3). The law enforcement
19 agency shall submit the proposed training program to the attorney general, and the
20 attorney general shall review and approve or disapprove the proposed training
21 program within 60 days after its receipt.

22 (6) GRANTS FOR WORKPLACE SECURITY TRAINING PROGRAMS. (a) From the
23 appropriation under s. 20.143 (3) (e), the department shall provide grants to applying
24 local governmental units, local chambers of commerce, and other local business
25 groups to assist those units, chambers, or other groups in providing workplace

ASSEMBLY BILL 84

1 security training programs for the employees of convenience stores, restaurants,
2 service stations, and other places of business that are at risk of theft or robbery,
3 including employees who are required to attend a workplace security training
4 program under sub. (3) (b) 2.

5 (b) A local governmental unit, local chamber of commerce or other local
6 business group that applies for a grant under par. (a) shall submit with its grant
7 application a description of its proposed workplace security training program
8 containing any information that the department, after consulting with the attorney
9 general, may require. On receipt of a grant application, the department shall submit
10 the proposed workplace security training program to the attorney general, and the
11 attorney general shall review and approve or disapprove the proposed workplace
12 security training program within 60 days after its receipt.

13 (c) Annually, the department shall notify all local governmental units and all
14 local chambers of commerce or other local business groups in this state of the
15 availability of the grants provided under par. (a).

16 **(7) IMMUNITY FROM LIABILITY.** The attorney general and any employee or agent
17 of the attorney general shall not be liable for any claim for damages to person or
18 property arising out of the approval or disapproval of a workplace security training
19 program under sub. (5) or (6). A local governmental unit, any governmental
20 subdivision or agency of a local governmental unit, a local chamber of commerce, or
21 other local business group, and any officer, official, agent, or employee of any of those
22 entities shall not be liable for any claim for damages to person or property arising out
23 of the provision of a workplace security training program approved under sub. (5) or
24 (6).

25 **SECTION 4. Nonstatutory provisions.**

