

State of Wisconsin



2005 Senate Bill 338

Date of enactment: **May 19, 2006**
Date of publication*: **June 2, 2006**

2005 WISCONSIN ACT 417

AN ACT *to create* 165.018 and 946.13 (12) of the statutes; **relating to:** the prohibition against a public officer or employee having a private interest in a public contract.

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

SECTION 1. 165.018 of the statutes is created to read:

165.018 Review of University of Wisconsin System contracts with research companies. (1) The attorney general shall review any contract submitted by the University of Wisconsin System under s. 946.13 (12) (b) 2. b. to determine whether entering into the contract would constitute a violation of s. 946.13 (1). The attorney general shall complete the review and, if the attorney general determines that entering into the contract would constitute a violation of s. 946.13 (1), notify the University of Wisconsin System of his or her determination within 30 days after the date of submittal. If before the 30-day time period expires, the attorney general notifies the University of Wisconsin System in writing of an extension in the time for review, the date for completing the review and providing notice of a determination, if applicable, is extended to 60 days after the date of submittal.

(2) This section does not apply after the date that is 60 months after the effective date of this subsection ... [revisor inserts date].

SECTION 1. 946.13 (12) of the statutes is created to read:

946.13 (12) (a) In this subsection, "research company" means an entity engaged in commercial activity that is related to research conducted by an employee or officer of the University of Wisconsin System or to a product of such research.

(b) Subsection (1) does not apply to a contract between a research company and the University of Wisconsin System or any institution or college campus within the system for purchase of goods or services, including research, if the following apply:

1. The contract is approved by a University of Wisconsin System employee or officer responsible for evaluating and managing potential conflicts of interest.

2. Either of the following apply:

a. The contract together with all other contracts between the same parties require less than \$75,000 in payments over a 24 month period.

b. The University of Wisconsin System submits the contract to the attorney general and within the time period provided under s. 165.018 the attorney general does not notify the University of Wisconsin System that entering into the contract would constitute a violation of sub. (1).

(c) Paragraphs (a) and (b) apply regardless of the date on which a contract was entered into.

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

(d) This subsection does not apply after the date that is 60 months after the effective date of this paragraph [revisor inserts date].
