



1995 SENATE BILL 28

January 24, 1995 - Introduced by Senators SCHULTZ, RUDE, DARLING and DRZEWIECKI, cosponsored by Representatives BRANDEMUEHL, LEHMAN, ALBERS, HAHN, LINTON, GROTHMAN, OTT and OWENS. Referred to Committee on Judiciary.

1 **AN ACT to amend** 946.13 (2) (a) of the statutes; **relating to:** private pecuniary
2 interest in public contracts.

Analysis by the Legislative Reference Bureau

Current law prohibits, with certain exceptions, a public officer or employe from having a private monetary interest in a public contract. Upon conviction, a violator may be fined not more than \$10,000 or imprisoned for not more than 2 years or both. This prohibition applies to acts done either in the person's private or public capacity:

Private capacity — The person is covered if, in his or her private capacity, the person negotiates or bids for or enters into a contract; the person has a private monetary interest in the contract; and the person is authorized or required by law to participate as an officer or employe in the making of the contract or to perform an official and discretionary act with regard to the contract.

Public capacity — The person is covered if, as a public officer or employe, the person participates in making a contract, or performs a discretionary act with regard to the contract, in which the person has a private monetary interest.

Currently, an officer or employe is exempt from the previously described restrictions if the applicable contracts involve receipts or disbursements by the state or other unit of government totaling \$7,500 or less in any year. This bill raises the dollar limit to \$10,000.

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

3 **SECTION 1.** 946.13 (2) (a) of the statutes is amended to read:

