



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-2616/1
CMH&EVM:ahe

2017 SENATE BILL 160

April 7, 2017 - Introduced by Senators MOULTON, MARKLEIN, KAPENGA, NASS and STROEBEL, cosponsored by Representatives KULP, KRUG, KREMER, STEFFEN, RIPP, BALLWEG, KNODL, E. BROOKS, SKOWRONSKI and R. BROOKS. Referred to Committee on Government Operations, Technology and Consumer Protection.

1 **AN ACT to amend** 175.10 (1); and **to create** 175.10 (1m) of the statutes; **relating**
2 **to:** sales by the state or a political subdivision to employees.

Analysis by the Legislative Reference Bureau

This bill creates exceptions to the general prohibition that the state or a political subdivision may not sell any item to an employee of the state or political subdivision. Sales that fall under the exceptions are a sale of an item at a price regularly available to the public and a sale of a surplus or discarded item that is no longer needed if similar items are publicly available for sale from the state or political subdivision. This bill requires the Department of Administration to post a list of Internet sites that the state or political subdivision may use for online auctions or offers.

For further information see the **state** 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:

3 **SECTION 1.** 175.10 (1) of the statutes is amended to read:
4 175.10 (1) ~~No~~ Except as provided in sub. (1m), no department or agency of the
5 state or any political subdivision thereof, or member or officer of any village, town,

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1 or county board or common council of any city, or any purchasing agent or purchasing
2 agency of the state or any political subdivision thereof, shall sell or procure for sale
3 or have in its possession or under its control for sale to any employees of the state or
4 any political subdivision thereof any article, material, product, or merchandise of
5 whatsoever nature, excepting meals, public services, and such specialized
6 appliances and paraphernalia as may be required for the safety or health of the
7 employees.

8 **SECTION 2.** 175.10 (1m) of the statutes is created to read:

9 175.10 **(1m)** (a) The prohibition under sub. (1) does not apply to a sale if any
10 of the following applies:

11 1. The sale is of a surplus or discarded item that is no longer needed if the item
12 is available for sale to the public using a publicly available method.

13 2. The sale is of an item that is regularly available from the governmental
14 entity for sale to the public at the same cost.

15 (b) On its Internet site, the department of administration shall post a list of
16 auction or sale Internet sites for compliance with par. (a) 1. The department may
17 limit the types of items that may be sold on any particular Internet site.

18 (c) A political subdivision may enact an ordinance that prohibits a sale that is
19 otherwise permitted under par. (a).

20 **(END)**