



State of Wisconsin
2015 - 2016 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 873**

February 16, 2016 - Offered by Representatives SINICKI and POPE.

1 **AN ACT to amend** 19.32 (1), 19.82 (1), 118.60 (10) (a) 7. and 119.23 (10) (a) 7.; and
2 **to create** 19.32 (1db), 19.82 (1m), 118.1335, 118.60 (7) (b) 9. and 119.23 (7) (b)
3 9. of the statutes; **relating to:** participation in interscholastic athletics and
4 application of the public records and open meetings laws to interscholastic
5 athletic associations and private schools participating in a parental choice
6 program.

Analysis by the Legislative Reference Bureau

This substitute amendment prohibits a school district from being a member of an interscholastic athletic association unless the association elects to be governed by the state's public records and open meetings laws. An interscholastic athletic association that elects to be governed by the public records and open meetings laws is subject to those laws. Under the substitute amendment, an interscholastic athletic association can be either a nonprofit, unincorporated association or a nonstock, nonprofit corporation, if the unincorporated association or corporation coordinates athletic events or contests for students enrolled in grades 9 to 12 in the public schools.

The substitute amendment also applies the public records law to private schools participating in a parental choice program to the same extent as that law applies to public schools.

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

1 **SECTION 1.** 19.32 (1) of the statutes is amended to read:

2 19.32 (1) “Authority” means any of the following having custody of a record: a
3 state or local office, elective official, agency, board, commission, committee, council,
4 department or public body corporate and politic created by the constitution or by any
5 law, ordinance, rule or order; a governmental or quasi-governmental corporation
6 except for the Bradley center sports and entertainment corporation; a special
7 purpose district; any court of law; the assembly or senate; a nonprofit corporation
8 which receives more than 50% of its funds from a county or a municipality, as defined
9 in s. 59.001 (3), and which provides services related to public health or safety to the
10 county or municipality; a university police department under s. 175.42; an
11 interscholastic athletic association that elects to be governed by this subchapter; or
12 a formally constituted subunit of any of the foregoing.

13 **SECTION 2.** 19.32 (1db) of the statutes is created to read:

14 19.32 (1db) “Interscholastic athletic association” means a nonprofit
15 association, as defined in s. 184.01 (2), or a nonstock, nonprofit corporation organized
16 under ch. 181, that coordinates athletic events or contests for students enrolled in
17 grades 9 to 12 in the public schools.

18 **SECTION 3.** 19.82 (1) of the statutes is amended to read:

19 19.82 (1) “Governmental body” means a state or local agency, board,
20 commission, committee, council, department or public body corporate and politic

1 created by constitution, statute, ordinance, rule or order; a governmental or
2 quasi-governmental corporation except for the Bradley center sports and
3 entertainment corporation; a local exposition district under subch. II of ch. 229; a
4 long-term care district under s. 46.2895; an interscholastic athletic association that
5 elects to be governed by this subchapter; or a formally constituted subunit of any of
6 the foregoing, but excludes any such body or committee or subunit of such body which
7 is formed for or meeting for the purpose of collective bargaining under subch. I, IV,
8 or V of ch. 111.

9 **SECTION 4.** 19.82 (1m) of the statutes is created to read:

10 19.82 **(1m)** “Interscholastic athletic association” means a nonprofit
11 association, as defined in s. 184.01 (2), or a nonstock, nonprofit corporation organized
12 under ch. 181, that coordinates athletic events or contests for students enrolled in
13 grades 9 to 12 in the public schools.

14 **SECTION 5.** 118.1335 of the statutes is created to read:

15 **118.1335 Participation in interscholastic athletics.** No school district
16 may be a member of an interscholastic athletic association, as defined in s. 19.32
17 (1db), unless the association elects to be governed by subchs. II and V of ch. 19.

18 **SECTION 6.** 118.60 (7) (b) 9. of the statutes is created to read:

19 118.60 **(7)** (b) 9. Permit public inspection and copying of any record, as defined
20 in s. 19.32 (2), of the private school to the same extent as required of, and subject to
21 the same terms and enforcement provisions that apply to, a school board under
22 subch. II of ch. 19. This subdivision applies only to records that relate to pupils
23 attending the private school under this section.

24 **SECTION 7.** 118.60 (10) (a) 7. of the statutes is amended to read:

25 118.60 **(10)** (a) 7. Violated sub. (7) (b) 4., 5., ~~or 6.~~ or 9.

