



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-4040/1  
MED&KRP:klm&kjf

## 2015 ASSEMBLY BILL 812

January 27, 2016 – Introduced by Representatives ALLEN, R. BROOKS, HORLACHER, KREMER, A. OTT, SUBECK and TITTL, cosponsored by Senator NASS. Referred to Committee on Workforce Development.

1     **AN ACT to repeal** 440.996 (2) (d); **to amend** 145.02 (title) and 440.03 (7); and **to**  
2     **create** 101.02 (25), 145.02 (5), 946.77 and 971.19 (13) of the statutes; **relating**  
3     **to:** material misstatements on applications for certain credentials and  
4     providing a criminal penalty.

---

***Analysis by the Legislative Reference Bureau***

This bill provides that any person who intentionally makes a material misstatement or omission or who submits falsified documentation in an application for a credential or for the renewal of a credential issued by the Department of Safety and Professional Services or an attached credentialing board is guilty of a Class A misdemeanor, for which the penalty is a fine not to exceed \$10,000 or imprisonment not to exceed nine months, or both. The bill specifies that in an action for a violation of the crime created in the bill, the defendant shall be tried in the county where the Office of the Secretary of Safety and Professional Services is located, and the bill requires DSPS to ensure that all application forms for such credentials include a statement regarding the prohibition and penalty created in the bill.

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:***

**ASSEMBLY BILL 812**

1           **SECTION 1.** 101.02 (25) of the statutes is created to read:

2           101.02 **(25)** The department shall include a statement regarding the  
3 prohibition and penalty under s. 946.77 on all forms prescribed by the department  
4 for applying for any credential, as defined in s. 946.77 (1), issued or renewed under  
5 this chapter or the rules promulgated under this chapter.

6           **SECTION 2.** 145.02 (title) of the statutes is amended to read:

7           **145.02 (title) Powers and duties of department.**

8           **SECTION 3.** 145.02 (5) of the statutes is created to read:

9           145.02 **(5)** The department shall include a statement regarding the prohibition  
10 and penalty under s. 946.77 on all forms prescribed by the department for applying  
11 for any credential, as defined in s. 946.77 (1), issued or renewed under this chapter.

12           **SECTION 4.** 440.03 (7) of the statutes is amended to read:

13           440.03 **(7)** The department shall establish the style, content and format of all  
14 credentials and of all forms for applying for any credential issued or renewed under  
15 chs. 440 to 480. All forms shall include a place for the information required under  
16 sub. (11m) (a) and shall include a statement regarding the prohibition and penalty  
17 under s. 946.77. Upon request of any person who holds a credential and payment of  
18 a \$10 fee, the department may issue a wall certificate signed by the governor.

19           **SECTION 5.** 440.996 (2) (d) of the statutes is repealed.

20           **SECTION 6.** 946.77 of the statutes is created to read:

21           **946.77 False statement in credential application. (1)** In this section,  
22 “credential” means a license, permit, or certificate of certification or registration that  
23 is issued under chs. 101, 145, or 440 to 480.

**ASSEMBLY BILL 812**

1           **(2)** Any person who, in an application for a credential or for the renewal of a  
2           credential, intentionally makes a material misstatement or omission or submits  
3           falsified documentation is guilty of a Class A misdemeanor.

4           **SECTION 7.** 971.19 (13) of the statutes is created to read:

5           971.19 **(13)** In an action under s. 946.77, the defendant shall be tried in the  
6           county where the office of the secretary of safety and professional services is located.

7           **SECTION 8. Effective date.**

8           (1) This act takes effect on July 1, 2016.

9   **(END)**