

# Wisconsin Ethics Commission

## *For Former State Officials*

### Limitations On Former Officials' Actions

Wisconsin's law prohibits former state officials<sup>1</sup> from profiting from their former governmental positions to aid private interests. These limitations apply to former state officials, whether paid or unpaid, other than officers, members, and employees of the legislature and its service agencies.<sup>2</sup>

- 1. APPEARANCE BEFORE FORMER AGENCY – 12 MONTH WAITING PERIOD.** For 12 months after leaving office, a former state official should not, as a paid representative of anyone other than a governmental entity, either appear before or try to settle or arrange a matter by calling, writing, or conferring with an officer or employee of the agency with which he or she was associated during the last 12 months of his or her service as a state official.
- 2. APPEARANCE BEFORE OTHER AGENCIES – 12 MONTH WAITING PERIOD ON MATTERS FOR WHICH FORMERLY RESPONSIBLE.** For 12 months after leaving office a former state official should as a paid representative of anyone other than a governmental entity, neither appear before nor negotiate with a state officer or employee about a judicial or quasi-judicial proceeding of the kind for which the former official was responsible during the last 12 months of his or her service as a state official or about an application, contract, claim, or charge that might lead to such a proceeding.
- 3. MATTER IN WHICH PERSONALLY AND SUBSTANTIALLY INVOLVED – MAY NEVER REPRESENT ANOTHER PERSON.** A former state official may never act as a paid representative of anyone other than the State of Wisconsin in a judicial or quasi-judicial proceeding or an application, contract, claim, or charge which might give rise to such a proceeding if the former official participated personally and substantially in the matter as a state official.

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<sup>1</sup> A person ceases to be a state public official when the person relinquishes all responsibilities of state public office, even if the State of Wisconsin remains legally obligated to provide the former official with payments or benefits that the person earned while holding a state public office.

<sup>2</sup> Section 19.45(8), *Wisconsin Statutes*, provides:

**19.45(8)** Except in the case where the state public office formerly held was that of a legislator, legislative employee under s. 20.923(6)(f), (g) or (h), chief clerk of a house of the legislature, sergeant at arms of a house of the legislature or a permanent employee occupying the position of auditor for the legislative audit bureau:

(a) No former state public official, for 12 months following the date on which he or she ceases to be a state public official, may, for compensation, on behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any officer or employee of the department with which he or she was associated as a state public official within 12 months prior to the date on which he or she ceased to be a state public official.

(b) No former state public official, for 12 months following the date on which he or she ceases to be a state public official, may, for compensation, on behalf of any person other than a governmental entity, make any formal or informal appearance before, or negotiate with, any officer or employee of a department in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding which was under the former official's responsibility as a state public official within 12 months prior to the date on which he or she ceased to be a state public official.

(c) No former state public official may, for compensation, act on behalf of any party other than the state in connection with any judicial or quasi-judicial proceeding, application, contract, claim, or charge which might give rise to a judicial or quasi-judicial proceeding in which the former official participated personally and substantially as a state public official.