



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-2039/P2  
MIM:wlj

DOA:.....Hynek, BB0373 - Repeal prohibition on local FMLA ordinances

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT** *to repeal* 103.10 (1m); *to amend* 103.10 (1) (b), 103.10 (1) (c), 103.12 (2), 103.12 (3) (a) and 103.12 (3) (b); and *to repeal and recreate* 165.68 (1) (a) 3. of the statutes; **relating to:** the budget.

---

*Analysis by the Legislative Reference Bureau*

**EMPLOYMENT**

**1. Local employment ordinances regarding leave time**

This bill repeals the prohibition on local governments from enacting ordinances to prescribe minimum family and medical leave requirements that an employer must provide to employees. The bill therefore allows local governments to enact ordinances that require minimum family and medical leave from employment for employees of private employers.

---

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

**SECTION 1.** 103.10 (1) (c) of the statutes is amended to read:

103.10 (1) (c) ~~Except as provided in sub. (1m) (b) 3., “employer”~~ “Employer” means a person engaging in any activity, enterprise or business in this state

employing at least ~~50~~ 25 individuals on a permanent basis. "Employer" includes the state and any office, department, independent agency, authority, institution, association, society or other body in state government created or authorized to be created by the constitution or any law, including the legislature and the courts.

\*\*\*\*NOTE: This is reconciled s. 103.10 (1) (c). This SECTION has been affected by drafts with the following LRB numbers: -1775/p2 and -2039/p1.

**SECTION 2.** 103.10 (1m) of the statutes is repealed.

\*\*\*\*NOTE: This is reconciled s. 103.10 (1m). This SECTION has been affected by drafts with the following LRB numbers: -1775/p2 and -2039/p1.

**SECTION 3.** 165.68 (1) (a) 3. of the statutes is repealed and recreated to read:

165.68 (1) (a) 3. Conduct that is in violation of s. 940.225, 944.30 (1m), 948.02, 948.025, 948.05, 948.051, 948.055, 948.06, 948.085, 948.09, or 948.10 or that is in violation of s. 940.302 (2) if s. 940.302 (2) (a) 1. b. applies.

**(END)**