



2015 ASSEMBLY BILL 262

June 5, 2015 - Introduced by Representatives SPREITZER, THIESFELDT, BERCEAU, BOWEN, BROSTOFF, E. BROOKS, HINTZ, KITCHENS, KOLSTE, MASON, OHNSTAD, QUINN, STEFFEN, SUBECK, TRANEL, VORPAGEL, GENRICH and C. TAYLOR, cosponsored by Senators RINGHAND, GUDEX, COWLES and MILLER. Referred to Committee on Urban and Local Affairs.

1 **AN ACT to repeal** 64.09 (3); and **to create** 66.0502 (4) (e) of the statutes; **relating**
2 **to:** authorizing limited residency requirements for a city operating under the
3 city manager plan.

Analysis by the Legislative Reference Bureau

Under current law, a 2nd, 3rd, and 4th class city, as well as certain villages with a population in excess of 1,000, may choose to operate under the city manager form of government. Under this system, the elective members of the common council elect a city manager. The election of the city manager must be based purely on merit, and the members of the council must give due regard for a candidate's training, experience, and executive and administrative abilities. A city manager is engaged by the council for an indefinite term, and he or she is in charge of the executive side of city government. Currently, residence in the city or the state shall not be a qualification for the office of city manager.

Also under current law, a local governmental unit (any city, village, town, county, or school district) may not, generally, require as a condition of employment that any employee or prospective employee reside within any jurisdictional limit. Current law provides limited exceptions to the prohibition on residency requirements for law enforcement, fire, or emergency personnel.

Under this bill, a city or village that operates under the city manager system of government may impose a residency requirement on its city manager. The residency requirement authorized under the bill first applies to an individual who is hired for the position of city manager on the bill's effective date.

ASSEMBLY BILL 262

For further information see the *local* 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:

1 **SECTION 1.** 64.09 (3) of the statutes is repealed.

2 **SECTION 2.** 66.0502 (4) (e) of the statutes is created to read:

3 66.0502 (4) (e) A city or village that has elected, or is in the process of electing,
4 a city manager under s. 64.09 may impose a residency requirement on the city
5 manager which contains terms and conditions that the city or village considers
6 appropriate.

7 **SECTION 3. Initial applicability.**

8 (1) This act first applies to an individual who is hired for the position of city
9 manager on the effective date of this subsection.

10 (END)