



2019 SENATE BILL 266

June 7, 2019 – Introduced by Senators WANGGAARD, BEWLEY, BERNIER, CARPENTER, ERPENBACH, FEYEN, FITZGERALD, HANSEN, JACQUE, JOHNSON, MARKLEIN, OLSEN, PETROWSKI, RINGHAND, RISSER, ROTH, SCHACHTNER, SMITH, L. TAYLOR, TESTIN and WIRCH, cosponsored by Representatives SPIROS, DOYLE, ANDERSON, BILLINGS, BOWEN, BRANDTJEN, BROSTOFF, DITTRICH, DUCHOW, EDMING, EMERSON, GOYKE, HEBL, HESSELBEIN, HINTZ, HORLACHER, JAMES, KITCHENS, KOLSTE, KRUG, KULP, KURTZ, MACCO, MILROY, MURPHY, MURSAU, L. MYERS, NEUBAUER, NOVAK, NYGREN, OHNSTAD, OTT, PETRYK, POPE, PRONSCHINSKE, QUINN, RAMTHUN, RIEMER, RODRIGUEZ, ROHRKASTE, SANFELIPPO, SARGENT, SCHRAA, SHANKLAND, SINICKI, SKOWRONSKI, SNYDER, SPREITZER, STAFSHOLT, STEFFEN, STUBBS, STUCK, SUBECK, SUMMERFIELD, SWEARINGEN, TAUCHEN, C. TAYLOR, THIESFELDT, TITTL, TRANEL, TUSLER, VORPAGEL, VRUWINK, WICHGERS, ZIMMERMAN, KERKMAN, JAGLER and WITTKE. Referred to Committee on Judiciary and Public Safety.

1 **AN ACT** *to renumber and amend* 66.0137 (1) (ae); *to amend* 20.155 (3) (t),
2 20.835 (1) (db), 20.835 (1) (r), 59.23 (2) (s), 66.0137 (3), 66.0137 (4m) (a), 66.0137
3 (5) (c) 1. and 66.0137 (5) (c) 2.; *to repeal and recreate* 66.0137 (5) (c) 3.; and
4 *to create* 20.155 (3) (u), 66.0137 (1) (af), 66.0137 (1) (am), 66.0137 (1) (ap),
5 66.0137 (1) (c), 66.0137 (5) (c) 1m., 66.0137 (5) (c) 4. and 66.0137 (5) (d) of the
6 statutes; **relating to:** requiring political subdivisions and Marquette
7 University to pay health insurance premiums for survivors of a law
8 enforcement officer who dies in the line of duty and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires a political subdivision (a city, village, town, or county) and Marquette University to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who dies in the line of duty if the political subdivision or university paid such premiums for the law enforcement officer while he or she was employed by the political subdivision or university. The requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a surviving child after he or she reaches the age of 26. Current law provides similar benefits to the surviving spouse and dependent children of a fire fighter who dies, or has died, in the line of duty if the municipality (city, village, or

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town) paid such premiums for the fire fighter while he or she was employed by the municipality.

Also, under the bill, if a political subdivision or Marquette University pays such health insurance premiums, the political subdivision or university must file a request for reimbursement for its costs with the Public Service Commission, which is required to provide reimbursement. The bill allows the PSC to contract with the Department of Revenue to administer the reimbursements. The reimbursement payments are funded by a fee called the "police and fire protection fee," which current law requires communications providers and prepaid wireless retailers to collect from their customers.

For further information see the *state and 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.** 20.155 (3) (t) of the statutes is amended to read:

2 20.155 (3) (t) *Police and fire protection fee administration.* From the police and
3 fire protection fund, the amounts in the schedule for the costs of administering s. ss.
4 66.0137 (5) (d) and 196.025 (6).

5 **SECTION 2.** 20.155 (3) (u) of the statutes is created to read:

6 20.155 (3) (u) *Line of duty health insurance reimbursement.* From the police
7 and fire protection fund, a sum sufficient to make reimbursements under s. 66.0137
8 (5) (d).

9 **SECTION 3.** 20.835 (1) (db) of the statutes is amended to read:

10 20.835 (1) (db) *County and municipal aid account.* A sum sufficient to make
11 payments to counties, towns, villages, and cities under s. 79.035, less the amount
12 paid from the ~~appropriation~~ appropriations under par. (r) and s. 20.155 (3) (u).

13 **SECTION 4.** 20.835 (1) (r) of the statutes is amended to read:

14 20.835 (1) (r) *County and municipal aid account; police and fire protection*
15 *fund.* From the police and fire protection fund, after deducting the amounts

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1 appropriated from that fund under ss. 20.155 (3) (t) and 20.465 (3) (q) and (qm) and
2 the amount paid from the appropriation under s. 20.155 (3) (u), all moneys received
3 from the fees collected under s. 196.025 (6) to make the payments under s. 79.035.

4 **SECTION 5.** 59.23 (2) (s) of the statutes is amended to read:

5 59.23 (2) (s) *List of local officials.* Annually, on the first Tuesday of June,
6 transmit to the secretary of state a list showing the name, phone number, electronic
7 mail address, and post-office address of local officials, including the chairperson,
8 mayor, president, clerk, treasurer, council and board members, and assessor of each
9 municipality, and of the elective or appointive officials of any other local
10 governmental unit, as defined in s. 66.0135 (1) (c), that is located wholly or partly
11 within the county. Such lists shall be placed on file for the information of the public.
12 The clerk, secretary, or other administrative officer of a local governmental unit, as
13 defined in s. 66.0137 (1) (~~ae~~) (as), shall provide the county clerk the information he
14 or she needs to complete the requirements of this paragraph.

15 **SECTION 6.** 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and
16 amended to read:

17 66.0137 (1) (as) “Local governmental unit” means a ~~municipality, county~~
18 political subdivision, school district (as enumerated in s. 67.01 (5)), sewerage district,
19 drainage district, and, without limitation because of enumeration, any other political
20 subdivision of the state.

21 **SECTION 7.** 66.0137 (1) (af) of the statutes is created to read:

22 66.0137 (1) (af) “Dies in the line of duty” means a death that occurs, or occurred,
23 as a direct and proximate result of one or more of the following, sustained by a law
24 enforcement officer or fire fighter while he or she was engaged in a line of duty

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1 activity or that arose out of and as a result of such an individual's performance of a
2 line of duty activity:

- 3 1. A personal injury.
- 4 2. The contraction of an infectious disease.
- 5 3. Exposure to hazardous materials or conditions.

6 **SECTION 8.** 66.0137 (1) (am) of the statutes is created to read:

7 66.0137 (1) (am) "Law enforcement officer" means all of the following:

- 8 1. Any person employed by a political subdivision for the purpose of detecting
9 and preventing crime and enforcing laws or ordinances and who is authorized to
10 make arrests for violations of the laws or ordinances that the person is employed to
11 enforce.
- 12 2. Any jailer who, under the direction of a sheriff under s. 59.27 (1), keeps
13 persons in a county jail.
- 14 3. A Marquette University police officer, as defined in s. 175.42 (1) (b).

15 **SECTION 9.** 66.0137 (1) (ap) of the statutes is created to read:

16 66.0137 (1) (ap) "Line of duty activity" means any employment-related action
17 taken by a law enforcement officer or fire fighter that is required or authorized by
18 law, rule, regulation, or condition of employment and for which compensation is
19 provided by his or her employing agency or would have been eligible to have been
20 provided by the employing agency if the law enforcement officer or fire fighter had
21 been on duty when he or she took the action in question.

22 **SECTION 10.** 66.0137 (1) (c) of the statutes is created to read:

23 66.0137 (1) (c) "Political subdivision" means any municipality or county.

24 **SECTION 11.** 66.0137 (3) of the statutes is amended to read:

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1 66.0137 (3) HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Any ~~municipality or~~
2 ~~county~~ political subdivision may purchase health or dental insurance for
3 unemployed persons residing in the ~~municipality or county~~ political subdivision who
4 are not eligible for medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a).

5 **SECTION 12.** 66.0137 (4m) (a) of the statutes is amended to read:

6 66.0137 (4m) (a) Notwithstanding sub. (1) ~~(ae)~~ (as), in this subsection, “local
7 governmental unit” means a city, village, town, county, or school district.

8 **SECTION 13.** 66.0137 (5) (c) 1. of the statutes is amended to read:

9 66.0137 (5) (c) 1. Except as provided in subds. 2. and 3., if a municipality
10 provides for the payment of premiums for hospital, surgical, and other health
11 insurance for its fire fighters, it shall continue to pay such premiums for the
12 surviving spouse and dependent children of ~~a~~ the fire fighter who dies in the line
13 of duty.

14 **SECTION 14.** 66.0137 (5) (c) 1m. of the statutes is created to read:

15 66.0137 (5) (c) 1m. Except as provided in subds. 2. and 3., if a political
16 subdivision or Marquette University provides for the payment of premiums for
17 hospital, surgical, and other health insurance for its law enforcement officers, it shall
18 continue to pay such premiums for the surviving spouse and dependent children of
19 the law enforcement officer who dies while in the line of duty.

20 **SECTION 15.** 66.0137 (5) (c) 2. of the statutes is amended to read:

21 66.0137 (5) (c) 2. A ~~municipality~~ political subdivision or Marquette University
22 may not be required to pay the premiums described in subd. 1. or 1m. for a surviving
23 spouse upon the remarriage of the surviving spouse or upon the surviving spouse
24 reaching the age of 65.

25 **SECTION 16.** 66.0137 (5) (c) 3. of the statutes is repealed and recreated to read:

