



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-4560/1  
EVM:emw

## 2023 ASSEMBLY BILL 855

December 22, 2023 - Introduced by Representatives C. ANDERSON, MADISON, CLANCY, JACOBSON, J. ANDERSON, NEUBAUER, ORTIZ-VELEZ, PALMERI, SINICKI and DRAKE, cosponsored by Senators TAYLOR and CARPENTER. Referred to Committee on Local Government.

1     **AN ACT** *to repeal* 66.0502; and *to amend* 17.03 (4) (d), 60.37 (1) and 63.08 (1)  
2           (a) of the statutes; **relating to:** local government employee residency  
3           requirements.

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

Under current law, cities, villages, towns, counties, and school districts are prohibited, with some exceptions, from requiring, as a condition of employment, that any nonelective employee or prospective employee reside within any jurisdictional limits. This bill repeals this prohibition.

For further information see the local fiscal estimate, which will be printed as an appendix to this bill.

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

4           **SECTION 1.** 17.03 (4) (d) of the statutes is amended to read:  
5           17.03 (4) (d) If the office is local and appointive, and residency, ~~subject to s.~~  
6           ~~66.0502,~~ is a local requirement, the county, city, village, town, district, or area within  
7           which the duties of the office are required to be discharged.

**ASSEMBLY BILL 855****SECTION 2**

1           **SECTION 2.** 60.37 (1) of the statutes is amended to read:

2           60.37 (1) **GENERAL.** The town board may employ on a temporary or permanent  
3 basis persons necessary to carry out the functions of town government including,  
4 subject to sub. (4), any elected officer of the town. The board may establish the  
5 qualifications and terms of employment, which may not include the residency of the  
6 employee, ~~except as provided in s. 66.0502 (4) (b).~~ The board may delegate the  
7 authority to hire town employees to any town official or employee.

8           **SECTION 3.** 63.08 (1) (a) of the statutes is amended to read:

9           63.08 (1) (a) Any applicant for an examination under s. 63.05, other than an  
10 applicant for a deputy sheriff position under s. 59.26 (8) (a), shall be a resident of this  
11 state before applying for an examination, ~~but the commission may not require any~~  
12 ~~period of residency in the county for entrance to an examination or employment in~~  
13 ~~the county.~~ The commission may require an applicant to file a written application  
14 form which bears upon the applicant's fitness for a vacant position and which the  
15 commission deems necessary. For a position offering a skilled, technical, or  
16 professional service, upon a finding that a suitable number of qualified applicants  
17 cannot be obtained from within the state, the commission may open the examination  
18 to residents of other states. Residency in this state may be waived for an applicant  
19 for an examination for a position which requires a license in a health care field. No  
20 question pertaining to political affiliation or religious faith may be asked of any  
21 applicant for an examination.

22           **SECTION 4.** 66.0502 of the statutes is repealed.

23           **SECTION 5. Effective date.**

