



2023 ASSEMBLY BILL 1004

January 25, 2024 - Introduced by Representatives HURD, SUMMERFIELD, PRONSCHINSKE, PETRYK, ARMSTRONG, GUSTAFSON, BEHNKE, BODDEN, BRANDTJEN, DITTRICH, EDMING, GOEBEN, GREEN, MAGNAFICI, MAXEY, MURPHY, MURSAU, PENTERMAN, ROZAR and SCHMIDT, cosponsored by Senators TOMCZYK, JAMES, BALLWEG, CABRAL-GUEVARA, JACQUE, NASS, QUINN and WANGGAARD. Referred to Committee on State Affairs.

1 **AN ACT** *to create* 66.0443 of the statutes; **relating to:** requiring local
2 governments to designate an individual for consultation required under a
3 federal program regarding refugee resettlement and assistance.

Analysis by the Legislative Reference Bureau

This bill provides a procedure for providing notice of, and designating local consultation regarding, certain refugee resettlement and assistance. Under the bill, if an employee or officer of a city, village, town, county, or school district (local governmental unit) contacts or is contacted by the federal government or a private nonprofit voluntary agency regarding certain proposed placements of refugees in the local governmental unit, the employee or officer must report the contact to the chief elected official (placement report). The chief elected official must then notify each local governmental unit located, entirely or partially, within a 100-mile radius. The governing body of each local governmental unit receiving one of these notifications must meet and 1) include on the meeting agenda an informational item that the notification has been received and allow for a public comment on the item, and 2) designate a representative for the local governmental unit for purposes of consultation with the federal government or a private nonprofit voluntary agency.

Under the bill, all designees in the county with regard to a particular placement report must meet as a county refugee placement committee to discuss the proposed placement of refugees. The committee must then hold a public hearing regarding the proposed placement of refugees. After the hearing, the committee must make a recommendation on whether the local governmental unit should pass a resolution

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regarding its position on the proposed refugee placement and provide each designee with guidance on all considerations that should be included as part of a consultation with the federal government or a private nonprofit voluntary agency regarding the proposed placement of refugees. Designees must also report to the governing body of the local governmental unit for which the designee is a representative any plan relating to the proposed refugee placement established after consultation with the federal government or a private nonprofit voluntary agency.

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.** 66.0443 of the statutes is created to read:

2 **66.0443 Local consultation for refugee resettlement and assistance.**

3 **(1)** In this section:

4 (a) “Chief elected official” means the mayor of a city or, if the city is organized
5 under subch. I of ch. 64, the president of the council of that city, the village president
6 of a village, the town board chairperson of a town, the chairperson of the county board
7 of supervisors, or the chairperson of a school board.

8 (b) “Committee” means a county refugee resettlement committee organized
9 under sub. (5).

10 (c) “Designee” means a person designated under sub. (4) (b) by a local
11 governmental unit.

12 (d) “Local governmental unit” means a city, village, town, or county, or school
13 district.

14 **(2)** If any employee or officer of a local governmental unit contacts or is
15 contacted by the federal government or a private nonprofit voluntary agency acting
16 under 8 USC 1522 regarding the proposed placement of refugees in the local
17 governmental unit under 8 USC 1522, within 7 business days of the contact, the

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1 employee or officer shall submit a written report on the contact, including copies of
2 any documentation received, to the chief elected official and clerk of the local
3 governmental unit.

4 (3) Within 10 business days of receiving a report under sub. (2), a chief elected
5 official shall provide a written notification of the contact to the chief elected official
6 and clerk of each local governmental unit located, entirely or partially, within a
7 100-mile radius of the office of the clerk for the local governmental unit providing
8 the notice under this subsection.

9 (4) Within 30 days of receiving notification under sub. (3), the governing body
10 of each local governmental unit receiving notification under sub. (3) shall meet and
11 do all of the following:

12 (a) Include on the meeting agenda an informational item that the notification
13 under sub. (3) has been received and allow for a public comment on the item.

14 (b) Designate, by a majority vote of a quorum of the governing body, an
15 employee or officer of the local governmental unit to serve as the representative for
16 the local governmental unit for purposes of consultation with the federal government
17 or a private nonprofit voluntary agency regarding refugee resettlement and
18 assistance as set forth under 8 USC 1522. The clerk of the local governmental unit
19 shall notify the county board chairperson and clerk for the county in which the local
20 governmental unit is located of the designation under this paragraph.

21 (5) Not sooner than 30 days, nor later than 45 days, after receiving a
22 notification under sub. (3), upon the call of the county board chairperson, each
23 designee in the county with regard to a report under sub. (2) shall meet to discuss
24 the proposed placement of refugees regarding which the report was made. The
25 county board chairperson shall ensure that representatives of the federal

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1 government or private nonprofit voluntary agency involved in the contact under sub.
2 (2) are invited to the meeting. Upon commencement of the meeting under this
3 subsection, the designees constitute a county refugee resettlement committee. The
4 county is responsible for all costs of the committee.

5 (6) Within 30 days of the initial committee meeting under sub. (5), the
6 committee shall hold a public hearing regarding the proposed placement of refugees
7 regarding which the report under sub. (2) was made. Notice of the hearing shall be
8 given by publishing in a newspaper or newspapers having general circulation within
9 the territory within a 100-mile radius of the office of the clerk for the local
10 governmental unit to whom the report under sub. (2) was made as a class 1 notice,
11 under ch. 985, a summary of the proposal and notice of the place where the proposal,
12 the written report submitted to the chief elected official under sub. (2), and any
13 documentation submitted with the report are available for public inspection, and
14 notice of the time and place for holding the public hearing thereon in the local
15 governmental unit at least 15 days prior to the time of the public hearing. Posting
16 may not be substituted for publication under this subsection. Notice of the hearing
17 shall also be given at least 10 days before the meeting by communication from the
18 committee to those news media who have filed a written request for notice of all
19 meetings of any local governmental unit that received a notification under sub. (3),
20 and to the official newspaper designated under ss. 985.04, 985.05, and 985.06 of any
21 local governmental unit that received a notification under sub. (3) or, if none exists,
22 to a news medium likely to give notice in the area.

23 (7) Once a public hearing has been held under sub. (6), the committee shall
24 make a recommendation to the governing body of the local governmental unit on

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1 whether the body should pass a resolution regarding its position on the proposed
2 refugee placement.

3 (8) The committee shall provide each designee with guidance on all
4 considerations that should be included as part of the consultation under 8 USC 1522,
5 including consideration of potential impacts on the local agencies and the timeline
6 related to any placement of refugees with regard to which the report under sub. (2)
7 was made. Designees shall communicate all considerations provided by the
8 committee to the relevant parties involved in consultation under 8 USC 1522.

9 (9) Once a plan relating to the proposed refugee placement under this section
10 has been established after consultation under 8 USC 1522, each designee shall
11 submit within 7 business days a written report on the plan to the local governmental
12 unit for which the designee is a representative.

13 (10) A taxpayer of a local governmental unit may commence an action for
14 injunctive relief, a writ of mandamus or prohibition, or other such legal or equitable
15 relief as may be appropriate to compel compliance with the law if an elected official
16 designated under this section or the governing body of the local governmental unit
17 has failed or is failing to comply with this section.

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(END)