

1999 SENATE BILL 141

May 5, 1999 – Introduced by Senators ERPENBACH, JAUCH, ROESSLER, RUDE, DARLING, LAZICH, FITZGERALD, SCHULTZ, HUELSMAN, ROSENZWEIG and PANZER, cosponsored by Representatives JENSEN, POCAN, LA FAVE, BERCEAU, KRUG, HANDRICK, NASS, YOUNG, PETTIS, GOETSCH, STONE, RHOADES, GRONEMUS, ALBERS, SERATTI, JESKEWITZ, PETROWSKI, KESTELL, MUSSER, HAHN, KREIBICH, BRANDEMUEHL, F. LASEE, HUEBSCH, TOWNSEND, SUDER, HUTCHISON, PLOUFF, OWENS, SPILLNER, MONTGOMERY, BOCK, AINSWORTH, VRAKAS, LADWIG, SYKORA, OLSEN, RILEY, GUNDERSON, GROTHMAN and HUNDERTMARK, by request of Teaching Assistants' Association, University of Wisconsin – Madison, University of Wisconsin System. Referred to Committee on Education.

1 **AN ACT to amend** 40.41 (6) (b); and **to create** 40.41 (6) (c) of the statutes;
 2 **relating to:** social security coverage for students employed at public schools,
 3 colleges and universities.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, public employers are required to provide social security coverage to all of their employees. One of the exceptions to this social security coverage requirement involves students. Currently, public employers are not required to provide social security coverage to students if their employment is in a position that does not normally require actual performance of duty for at least 600 hours in each calendar year.

On October 21, 1998, Congress enacted P.L. 105-277, which provides a limited window of opportunity for states to modify their existing social security coverage agreements with the federal government to exclude from social security coverage services performed by students employed by the public school, college or university where they are enrolled and regularly attending classes. In order to qualify for this provision, a state must enact legislation before July 1, 2000, to provide for the exclusion from social security coverage for these students.

This bill creates this legislation. Under the bill, social security coverage is not provided for services performed in the employ of a school, college or university, if the service is performed by a student who is enrolled and regularly attending classes at the school, college or university.

