AN ACT to amend 40.02 (48) (am) and 40.02 (48) (c); and to create 40.02 (17) (n) and 40.65 (4w) of the statutes; relating to: classifying county jailers as protective occupation participants for the purposes of the Wisconsin retirement system.

Analysis by the Legislative Reference Bureau

Under current law, participants under the Wisconsin retirement system (WRS) whose principal duties involve law enforcement or fire suppression or prevention and require frequent exposure to a high degree of danger or peril and a high degree of physical conditioning are classified as protective occupation participants. Current law specifically classifies police officers, fire fighters, and various other individuals as protective occupation participants. Under the WRS, the normal retirement age of a protective occupation participant is lower than that of other participants and the percentage multiplier used to calculate retirement annuities is higher for protective occupation participants than for other participants.

This bill specifically classifies county jailers as protective occupation participants for the purposes of the WRS.

This bill will be referred to the joint survey committee on retirement systems for a detailed analysis, which will be printed as an appendix to the bill.
For further information see the state 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:

SECTION 1. 40.02 (17) (n) of the statutes is created to read:

40.02 (17) (n) Notwithstanding par. (d), each participant who is a county jailer on or after the effective date of this paragraph .... [revisor inserts date], shall be granted creditable service as a protective occupation participant for all covered service as a county jailer that was earned on or after the effective date of this paragraph .... [revisor inserts date], but may not be granted creditable service as a protective occupation participant for any covered service as a county jailer that was earned before the effective date of this paragraph .... [revisor inserts date], unless that service was earned while the participant was classified under sub. (48) (a) and s. 40.06 (1) (d) as a protective occupation participant.

SECTION 2. 40.02 (48) (am) of the statutes is amended to read:

40.02 (48) (am) “Protective occupation participant” includes any participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who is a conservation warden, conservation patrol boat captain, conservation patrol boat engineer, conservation pilot, conservation patrol officer, forest fire control assistant, member of the state traffic patrol, state motor vehicle inspector, police officer, fire fighter, sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic police officer, county jailer, state forest ranger, fire watcher employed at Wisconsin veterans facilities, state correctional–psychiatric officer, excise tax investigator employed by the department of revenue, special criminal investigation
agent in the department of justice, assistant or deputy fire marshal, or person
employed under s. 61.66 (1).

SECTION 3. 40.02 (48) (c) of the statutes is amended to read:

40.02 (48) (c)  In s. 40.65, “protective occupation participant” means a
participating employee who is a police officer, fire fighter, an individual determined
by a participating employer under par. (a) or (bm) to be a protective occupation
participant, county undersheriff, deputy sheriff, state probation and parole officer,
county traffic police officer, county jailer, conservation warden, state forest ranger,
field conservation employee of the department of natural resources who is subject to
call for forest fire control or warden duty, member of the state traffic patrol, state
motor vehicle inspector, University of Wisconsin System full-time police officer,
guard or any other employee whose principal duties are supervision and discipline
of inmates at a state penal institution, excise tax investigator employed by the
department of revenue, person employed under s. 61.66 (1), or special criminal
investigation agent employed by the department of justice.

SECTION 4. 40.65 (4w) of the statutes is created to read:

40.65 (4w) A county jailer who becomes a protective occupation participant on
or after the effective date of this subsection .... [revisor inserts date], is not entitled
to a duty disability benefit under this section for an injury or disease occurring before
the effective date of this subsection .... [revisor inserts date].

SECTION 5. Effective date.

(1) This act takes effect on the January 1 after publication.