

**BILL HISTORY FOR ASSEMBLY BILL 141 (LRB -0697)**

An Act to create 66.0501 (5) of the statutes; relating to: the eligibility of employees of cities, villages, towns, and counties to be candidates for elective public office. (FE)

2003

03-06. A.	Introduced by Representatives <b>Krug, Jeskewitz, Plouff, A. Williams, Pocan, Coggs, Berceau, Turner and Sinicki</b> ; cosponsored by Senators <b>Wirch and Carpenter</b> .	
03-06. A.	Read first time and referred to committee on Campaigns and Elections .....	94
04-03. A.	Public hearing held.	
04-17. A.	Fiscal estimate received.	
04-17. A.	Executive action taken.	
04-23. A.	Report passage recommended by committee on Campaigns and Elections, Ayes 6, Noes 0 .....	165
04-23. A.	Referred to committee on Rules .....	165
05-29. A.	Placed on calendar 6-3-2003 by committee on Rules.	
06-04. A.	Read a second time .....	237
06-04. A.	Ordered to a third reading .....	238
06-04. A.	Refused to suspend rules to read a third time, Ayes 38, Noes 54 .....	238
06-24. A.	Read a third time and passed, Ayes 94, Noes 2 .....	282
06-24. A.	Motion for reconsideration of the vote by which passed offered by Representative Foti .....	282
06-25. A.	Motion for reconsideration of the vote by which passed, withdrawn .....	291
06-25. A.	Ordered immediately messaged .....	291
06-26. S.	Received from Assembly .....	256
06-26. S.	Read first time and referred to committee on Education, Ethics and Elections .....	257
09-10. S.	Public hearing held.	
09-17. S.	Executive action taken.	
09-17. S.	Report concurrence recommended by committee on Education, Ethics and Elections, Ayes 6, Noes 1 .....	367
09-17. S.	Available for scheduling.	
10-30. S.	Placed on calendar 11-4-2003 by committee on Senate Organization.	
11-04. S.	Read a second time.	
11-04. S.	Ordered to a third reading.	
11-04. S.	Rules suspended.	
11-04. S.	Read a third time and concurred in.	
11-04. S.	Senator Welch added as a cosponsor.	
11-04. S.	Senator Hansen added as a cosponsor.	
11-04. S.	Senator Zien added as a cosponsor.	
11-04. S.	Ordered immediately messaged.	

2003  
ENROLLED BILL

03en A B-141

ADOPTED DOCUMENTS:

Orig     Engr             SubAmdt         

0697  
03 - 2 / 1 / 1

Amendments to above (if none, write "NONE"): none

Corrections - show date (if none, write "NONE"): none

Topic

employees of  
E. eligibility of ~~employees~~ local governments  
to be candidates for elective  
public office

11/05/03

Date

[Signature]

Enrolling Drafter

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## 2003 ASSEMBLY BILL 141

March 6, 2003 - Introduced by Representatives KRUG, JESKEWITZ, PLOUFF, A. WILLIAMS, POCAN, COGGS, BERCEAU, TURNER and SINICKI, cosponsored by Senators WIRCH and CARPENTER. Referred to Committee on Campaigns and Elections.

1 **AN ACT to create** 66.0501 (5) of the statutes; **relating to:** the eligibility of  
2 employees of cities, villages, towns, and counties to be candidates for elective  
3 public office.

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### *Analysis by the Legislative Reference Bureau*

Under current law, no political subdivision (city, village, town, or county), other than a 1st class city (currently only Milwaukee) or a county with a population of 500,000 or more (currently only Milwaukee County), may prohibit a law enforcement officer who is employed by a political subdivision from being a candidate for elective public office, if he or she is otherwise qualified to be a candidate. Also under current law, no law enforcement officer may be required, as a condition of being a candidate for any elective public office, to take a leave of absence during his or her candidacy.

Under this bill, no political subdivision, including a 1st class city and a county with a population of 500,000 or more, may prohibit any other employee of a political subdivision from being a candidate for elective public office, if he or she is otherwise qualified to be a candidate. Also under the bill, no employee of a political subdivision may be required, as a condition of being a candidate for any elective public office, to take a leave of absence during his or her candidacy. The bill does not apply to individuals to whom the federal Hatch Act applies. Generally, the Hatch Act prohibits a state or local officer whose position is funded by federal funds from being a candidate for elective office unless he or she takes a leave of absence.

**ASSEMBLY BILL 141**

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:*

1       **SECTION 1.** 66.0501 (5) of the statutes is created to read:

2       66.0501 (5) EMPLOYEES MAY BE CANDIDATES. (a) In this subsection:

3           1. “Political subdivision” means a city, village, town, or county.

4           2. “Public employee” means any individual employed by a political subdivision,  
5 other than an individual to whom s. 164.06 applies and other than an individual to  
6 whom 5 USC 1502 (a) (3) applies.

7           (b) No political subdivision may prohibit a public employee from being a  
8 candidate for any elective public office, if that individual is otherwise qualified to be  
9 a candidate. No public employee may be required, as a condition of being a candidate  
10 for any elective public office, to take a leave of absence during his or her candidacy.  
11 This subsection does not affect the authority of a political subdivision to regulate the  
12 conduct of a public employee while the public employee is on duty or otherwise acting  
13 in an official capacity.

14                               **(END)**