



2009 ASSEMBLY BILL 398

August 26, 2009 – Introduced by Representatives SOLETSKI, SHERMAN, TOWNSEND, BIES, SPANBAUER, BROOKS and BALLWEG, cosponsored by Senators PLALE, HANSEN, LEHMAN, SCHULTZ, DARLING and COGGS. Referred to Committee on Colleges and Universities.

1 **AN ACT** *to amend* 102.475 (8) (c), 164.01, 165.77 (1) (b), 165.77 (1) (c), 165.83 (1)
2 (b), 165.85 (2) (d), 175.35 (2k) (ag) 2., 175.46 (1) (f), 175.46 (1) (g), 321.01 (5) and
3 968.27 (10); and *to create* 38.14 (8) of the statutes; **relating to:** granting police
4 authority to technical college district boards.

Analysis by the Legislative Reference Bureau

This bill grants to a technical college district board concurrent police power, with other authorized law enforcement officers, over all property subject to its jurisdiction. The bill authorizes a district board to employ police, or contract for police, for the purposes of preserving the peace on district property and enforcing laws and administrative rules promulgated by the state Technical College System Board.

For further information see the *state and 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:

5 **SECTION 1.** 38.14 (8) of the statutes is created to read:
6 38.14 **(8)** POLICE AUTHORITY. (a) The district board shall have concurrent police
7 power, with other law enforcement officers, over all property subject to its

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1 jurisdiction. Such concurrent police authority does not reduce the authority of the
2 police power of the community or communities in which the technical college is
3 located. All district police officers shall cooperate with and be responsive to the local
4 law enforcement agencies as they exercise their statutory responsibilities. The
5 designated agents of the district board may arrest, with or without warrant, any
6 person on such property who they have reasonable grounds to believe is committing
7 or has committed a crime and deliver the person to any court having jurisdiction over
8 the violation and execute a complaint charging the person with the violation. This
9 subsection does not impair the duty of any other law enforcement officer within his
10 or her jurisdiction to arrest and take before the proper court any person found
11 violating any state law on such property.

12 (b) The district board may employ police for the district and a chief to head such
13 police, or contract for police, all of whom shall be deemed peace officers under s.
14 939.22 (22) under the supervision and control of the district director or his or her
15 designee. District police officers shall meet the minimum standards established for
16 other police officers by the law enforcement standards board or a comparable agency.
17 District police shall preserve the peace on all property described under par. (a),
18 enforce all rules promulgated by the board under this chapter, and all other laws, and
19 for that purpose the district director or his or her designee may call for aid from such
20 other persons as is deemed necessary.

21 **SECTION 2.** 102.475 (8) (c) of the statutes is amended to read:

22 102.475 **(8)** (c) “Law enforcement officer” means any person employed by the
23 state or, any political subdivision of the state, or a technical college district for the
24 purpose of detecting and preventing crime and enforcing laws or ordinances and who
25 is authorized to make arrests for violations of the laws or ordinances the person is

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1 employed to enforce, whether that enforcement authority extends to all laws or
2 ordinances or is limited to specific laws or ordinances.

3 **SECTION 3.** 164.01 of the statutes is amended to read:

4 **164.01 Definition.** In this chapter, except in s. 164.06, “law enforcement
5 officer” means any person employed by the state or by a city, village, town or county,
6 or technical college district for the purpose of detecting and preventing crime and
7 enforcing laws or ordinances, who is authorized to make arrests for violations of the
8 laws or ordinances which he or she is employed to enforce.

9 **SECTION 4.** 165.77 (1) (b) of the statutes is amended to read:

10 165.77 (1) (b) “Law enforcement agency” means a governmental unit of one or
11 more persons employed full time by the federal government, a state or a political
12 subdivision of a state, or a technical college district for the purpose of preventing and
13 detecting crime and enforcing federal or state laws or local ordinances, employees of
14 which unit are authorized to make arrests for crimes while acting within the scope
15 of their authority.

16 **SECTION 5.** 165.77 (1) (c) of the statutes is amended to read:

17 165.77 (1) (c) “Wisconsin law enforcement agency” means a governmental unit
18 of one or more persons employed full time by this state or a political subdivision of
19 this state, or a technical college district for the purpose of preventing and detecting
20 crime and enforcing state laws or local ordinances, employees of which unit are
21 authorized to make arrests for crimes while acting within the scope of their authority.

22 **SECTION 6.** 165.83 (1) (b) of the statutes is amended to read:

23 165.83 (1) (b) “Law enforcement agency” means a governmental unit of one or
24 more persons employed full time by the state or a political subdivision of the state,
25 or a technical college district for the purpose of preventing and detecting crime and

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1 enforcing state laws or local ordinances, employees of which unit are authorized to
2 make arrests for crimes while acting within the scope of their authority.

3 **SECTION 7.** 165.85 (2) (d) of the statutes is amended to read:

4 165.85 (2) (d) “Political subdivision” means counties, cities, villages, towns,
5 technical college districts, town sanitary districts and public inland lake protection
6 and rehabilitation districts.

7 **SECTION 8.** 175.35 (2k) (ag) 2. of the statutes is amended to read:

8 175.35 (2k) (ag) 2. “Wisconsin law enforcement agency” means a governmental
9 unit of one or more persons employed by this state ~~or~~, a political subdivision of this
10 state, or a technical college district for the purpose of preventing and detecting crime
11 and enforcing state laws or local ordinances, employees of which unit are authorized
12 to make arrests for crimes while acting within the scope of their authority.

13 **SECTION 9.** 175.46 (1) (f) of the statutes is amended to read:

14 175.46 (1) (f) “Wisconsin law enforcement agency” means a governmental unit
15 of one or more persons employed by this state ~~or~~, a political subdivision of this state,
16 or a technical college district for the purpose of preventing and detecting crime and
17 enforcing state laws or local ordinances, employees of which unit are authorized to
18 make arrests for crimes while acting within the scope of their authority.

19 **SECTION 10.** 175.46 (1) (g) of the statutes is amended to read:

20 175.46 (1) (g) “Wisconsin law enforcement officer” means any person employed
21 by this state ~~or~~, any political subdivision of this state, or a technical college district
22 for the purpose of detecting and preventing crime and enforcing laws or ordinances
23 and who is authorized to make arrests for violations of the laws or ordinances he or
24 she is employed to enforce.

25 **SECTION 11.** 321.01 (5) of the statutes is amended to read:

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1 321.01 (5) “Law enforcement agency” means an agency of the federal
2 government, a federally recognized Indian tribe or band, ~~or~~ a state or political
3 subdivision of a state, or a technical college district whose purpose is the detection
4 and prevention of crime and enforcement of laws or ordinances.

5 **SECTION 12.** 968.27 (10) of the statutes is amended to read:

6 968.27 (10) “Investigative or law enforcement officer” means any officer of this
7 state ~~or, political subdivision thereof,~~ of the state, or technical college district who is
8 empowered by the laws of this state to conduct investigations of or to make arrests
9 for offenses enumerated in ss. 968.28 to 968.37, and any attorney authorized by law
10 to prosecute or participate in the prosecution of those offenses.

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(END)