

2019 DRAFTING REQUEST**Bill**

For: **John Spiros (608) 266-1182** Drafter: **mshovers**
 By: **Erin** Secondary Drafters: **mkunkel**
 Date: **9/17/2018** May Contact:
 Same as LRB: **-3228**

Submit via email: **YES**
 Requester's email: **Rep.Spiros@legis.wisconsin.gov**
 Carbon copy (CC) to: **marc.shovers@legis.wisconsin.gov**
eric.mueller@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Requiring payment of health insurance premiums for survivors of a law enforcement officer who dies, or died, in the line of duty

Instructions:

See attached. In effect, amend the statutes affected by 2009 WI Act 285, 2009 SB 520, so that it also applies to law enforcement officers

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	mshovers 3/13/2019	kfollett 10/19/2018	dwalker 10/19/2018		Local
/P2	mshovers 4/12/2019	kfollett 3/14/2019	mbarman 3/14/2019		State S&L
/P3	mshovers 5/9/2019	kfollett 4/15/2019	lparisi 4/15/2019		State S&L
/P4		wjackson	mbarman		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
		5/9/2019	5/9/2019		S&L
/1			lparisi 5/10/2019	lparisi 5/10/2019	State S&L

FE Sent For: *2*
at
intro

<END>

2019 DRAFTING REQUEST

Bill

For: **John Spiros (608) 266-1182** Drafter: **mshovers**
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See attached. In effect, amend the statutes affected by 2009 WI Act 285, 2009 SB 520, so that it also applies to law enforcement officers

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/P4		wjackson	mbarman		State

11 MES 5/10/19

Jacket for A

Vers. Drafted

Reviewed
5/9/2019

Submitted
5/9/2019

Jacketed

Required
S&L

FE Sent For:

<END>

Shovers, Marc

From: Clark, Erin
Sent: Monday, September 17, 2018 12:31 PM
To: Shovers, Marc
Subject: Drafting Request

Hi Mark,

Per our phone conversation, I'm hoping to get a P draft put together. We'd actually like to get two different drafts so we can play with them and see which works better.

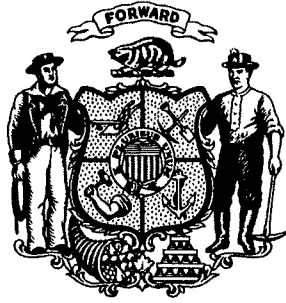
1. Redraft 2017 LRB-2141. The one change we would like is to remove any mention of firefighters and EMS. We would like this bill to apply strictly to law enforcement officers.
2. The alternative draft we'd like is to add law enforcement officers to the existing statute that applies currently to firefighters. Basically just expand the language of 2009 Act 285 (<http://docs.legis.wisconsin.gov/2009/related/acts/285.pdf>) so that everything in the bill that was put in place for firefighters would also apply to law enforcement officers.

Let me know if you have any questions.

Thanks!

Erin Clark
Research Assistant
Office of Rep. John Spiros
86th Assembly District
(608) 266-1182

State of Wisconsin



2009 Senate Bill 520

Date of enactment: **May 12, 2010**
Date of publication*: **May 26, 2010**

2009 WISCONSIN ACT 285

AN ACT *to renumber and amend* 66.0137 (1); *to amend* 66.0137 (3); and *to create* 66.0137 (1) (b) and 66.0137 (5) (c) of the statutes; **relating to:** requiring municipalities to pay health insurance premiums for survivors of a fire fighter who dies, or has died, in the line of duty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 66.0137 (1) of the statutes is renumbered 66.0137 (1) (intro.) and amended to read:

66.0137 (1) DEFINITION. (intro.) In this section, "~~local~~":

(~~ae~~) "Local governmental unit" means a ~~city, village, town~~ municipality, county, school district (as enumerated in s. 67.01 (5)), sewerage district, drainage district, and, without limitation because of enumeration, any other political subdivision of the state.

SECTION 2. 66.0137 (1) (b) of the statutes is created to read:

66.0137 (1) (b) "Municipality" means any city, village, or town.

SECTION 3. 66.0137 (3) of the statutes is amended to read:

66.0137 (3) HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Any ~~city, village, town,~~ municipality or county may purchase health or dental insurance for unemployed persons residing in the ~~city, village, town,~~ municipality or county who are not eligible for medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) or (b).

SECTION 4. 66.0137 (5) (c) of the statutes is created to read:

66.0137 (5) (c) 1. Except as provided in subds. 2. and 3., if a municipality provides for the payment of premiums for hospital, surgical, and other health insurance for its fire fighters, it shall continue to pay such premiums for the surviving spouse and dependent children of a fire fighter who dies in the line of duty.

2. A municipality may not be required to pay the premiums described in subd. 1. for a surviving spouse upon the remarriage of the surviving spouse or upon the surviving spouse reaching the age of 65.

3. An individual is not a dependent child for the purposes of subd. 1. after the individual reaches the age of 18 unless one of the following applies:

a. The individual is a full-time student in a secondary school.

b. The individual is a full-time or part-time student in an accredited college or university, except that this subd. 3. b. does not apply to such an individual after the close of the calendar year in which the individual reaches the age of 27.

SECTION 5. Initial applicability.

(1) This act first applies, retroactively, to a fire fighter

* Section 991.11, WISCONSIN STATUTES 2007-08: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

who has died in the line of duty before the effective date
of this subsection.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0335/P1

MES: [Signature]

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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or
Fri

[Signature]

1 AN ACT ...; **relating to:** requiring political subdivisions to pay health insurance
2 premiums for survivors of a law enforcement officer who dies, or has died, in the
3 line of duty.

Analysis by the Legislative Reference Bureau

This bill requires a political subdivision (a city, village, town, or county) to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who dies, or has died, in the line of duty, if the political subdivision paid such premiums for the law enforcement officer while he or she was employed by the political subdivision. The requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to surviving children after the individual reaches the age of 26. Current law provides similar benefits to the surviving spouse and dependent children of a firefighter who dies, or has died, in the line of duty if the municipality (city, village, or town) paid such premiums for the firefighter while he or she was employed by the municipality.

he or she
X

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:

4 SECTION 1. 59.23 (2) (s) of the statutes is amended to read:

1 59.23 (2) (s) *List of local officials.* Annually, on the first Tuesday of June,
2 transmit to the secretary of state a list showing the name, phone number, electronic
3 mail address, and post-office address of local officials, including the chairperson,
4 mayor, president, clerk, treasurer, council and board members, and assessor of each
5 municipality, and of the elective or appointive officials of any other local
6 governmental unit, as defined in s. 66.0135 (1) (c), that is located wholly or partly
7 within the county. Such lists shall be placed on file for the information of the public.
8 The clerk, secretary, or other administrative officer of a local governmental unit, as
9 defined in s. 66.0137 (1) (ae) (as), shall provide the county clerk the information he
10 or she needs to complete the requirements of this paragraph.

11 **SECTION 2.** 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and
12 amended to read:

13 66.0137 (1) (as) “Local governmental unit” means a ~~municipality, county~~
14 political subdivision, school district (as enumerated in s. 67.01 (5)), sewerage district,
15 drainage district, and, without limitation because of enumeration, any other political
16 subdivision of the state.

17 **SECTION 3.** 66.0137 (1) (af) of the statutes is created to read:

18 66.0137 (1) (af) “Dies in the line of duty” means a death that occurs, or occurred,
19 as a direct and proximate result of one or more of the following, sustained by a law
20 enforcement officer or fire fighter while he or she was engaged in a line of duty
21 activity or that arose out of and as a result of such an individual’s performance of a
22 line of duty activity:

- 23 1. A personal injury.
- 24 2. The contraction of an infectious disease.
- 25 3. Exposure to hazardous materials or conditions.

1 **SECTION 4.** 66.0137 (1) (am) of the statutes is created to read:

2 66.0137 (1) (am) "Law enforcement officer" means all of the following:

3 1. Any person employed by a political subdivision for the purpose of detecting
4 and preventing crime and enforcing laws or ordinances and who is authorized to
5 make arrests for violations of the laws or ordinances that the person is employed to
6 enforce.

7 2. Any jailer who, under the direction of a sheriff under s. 59.27 (1), keeps
8 persons in a county jail.

9 **SECTION 5.** 66.0137 (1) (ap) of the statutes is created to read:

10 66.0137 (1) (ap) "Line of duty activity" means any employment-related action
11 taken by a law enforcement officer or fire fighter that is required or authorized by
12 law, rule, regulation, or condition of employment and for which compensation is
13 provided by his or her employing agency or would have been eligible to have been
14 provided by the employing agency if the law enforcement officer ^{or} fire fighter had been
15 on duty when he or she took the action in question.

16 **SECTION 6.** 66.0137 (1) (c) of the statutes is created to read:

17 66.0137 (1) (c) "Political subdivision" means any municipality or county.

18 **SECTION 7.** 66.0137 (3) of the statutes is amended to read:

19 66.0137 (3) **HEALTH INSURANCE FOR UNEMPLOYED PERSONS.** Any ~~municipality or~~
20 ~~county~~ political subdivision may purchase health or dental insurance for
21 unemployed persons residing in the ~~municipality or county~~ political subdivision who
22 are not eligible for medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a).

23 **SECTION 8.** 66.0137 (4m) (a) of the statutes is amended to read:

1 66.0137 (4m) (a) Notwithstanding sub. (1) (ae) (as), in this subsection, “local
2 governmental unit” means a city, village, town, county, or school district.

History: 1999 a. 9, 115; 1999 a. 150 ss. 34, 303 to 306; Stats. 1999 s. 66.0137; 1999 a. 186 s. 63; 2001 a. 16, 30; 2005 a. 194; 2005 a. 443 s. 265; 2007 a. 20, 36; 2009 a. 14, 28, 146, 180, 218, 276, 285; 2011 a. 260; 2013 a. 20; 2013 a. 116 s. 29; 2013 a. 117 s. 2, 3; 2013 a. 186; 2015 a. 55; 2017 a. 12, 30, 59.

3 **SECTION 9.** 66.0137 (5) (c) 1. of the statutes is amended to read:

4 66.0137 (5) (c) 1. Except as provided in subds. 2. and 3., if a municipality
5 provides for the payment of premiums for hospital, surgical, and other health
6 insurance for its fire fighters, it shall continue to pay such premiums for the
7 surviving spouse and dependent children of ~~a~~ the fire fighter who dies in the line
8 of duty.

9 **SECTION 10.** 66.0137 (5) (c) 1m. of the statutes is created to read:

10 66.0137 (5) (c) 1m. Except as provided in subds. 2. and 3., if a political
11 subdivision provides for the payment of premiums for hospital, surgical, and other
12 health insurance for its law enforcement officers, it shall continue to pay such
13 premiums for the surviving spouse and dependent children of the law enforcement
14 officer who dies while in the line of duty.

15 **SECTION 11.** 66.0137 (5) (c) 2. of the statutes is amended to read:

16 66.0137 (5) (c) 2. A ~~municipality~~ political subdivision may not be required to
17 pay the premiums described in subd. 1. or 1m. for a surviving spouse upon the
18 remarriage of the surviving spouse or upon the surviving spouse reaching the age of
19 65.

20 **SECTION 12.** 66.0137 (5) (c) 3. of the statutes is ~~repealed~~ and recreated to read:

21 66.0137 (5) (c) 3. An individual is not a dependent child for the purposes of
22 subd. 1. or 1m. after the individual reaches the age of 26.

23 **SECTION 13.** 66.0137 (5) (c) 4. of the statutes is created to read:



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0335/Pl

MES:kjf

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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RMR

repeal

1 AN ACT *to renumber and amend* 66.0137 (1) (ae); *to amend* 59.23 (2) (s),
2 66.0137 (3), 66.0137 (4m) (a), 66.0137 (5) (c) 1. and 66.0137 (5) (c) 2.; *to repeal*
3 *and recreate* 66.0137 (5) (c) 3.; and *to create* 66.0137 (1) (af), 66.0137 (1) (am),
4 66.0137 (1) (ap), 66.0137 (1) (c), 66.0137 (5) (c) 1m. and 66.0137 (5) (c) 4. of the
5 statutes; **relating to:** requiring political subdivisions to pay health insurance
6 premiums for survivors of a law enforcement officer who dies, or has died, in the
7 line of duty.

and making appropriation

Analysis by the Legislative Reference Bureau

This bill requires a political subdivision (a city, village, town, or county) to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who dies, or has died, in the line of duty, if the political subdivision paid such premiums for the law enforcement officer while he or she was employed by the political subdivision. The requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a surviving child after he or she reaches the age of 26. Current law provides similar benefits to the surviving spouse and dependent children of a firefighter who dies, or has died, in the line of duty if the municipality (city, village, or town) paid such premiums for the firefighter while he or she was employed by the municipality.

91 INSERT A WL

Handwritten initials/signature

state and

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

INSER 7
0 -

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 59.23 (2) (s) of the statutes is amended to read:

59.23 (2) (s) *List of local officials.* Annually, on the first Tuesday of June, transmit to the secretary of state a list showing the name, phone number, electronic mail address, and post-office address of local officials, including the chairperson, mayor, president, clerk, treasurer, council and board members, and assessor of each municipality, and of the elective or appointive officials of any other local governmental unit, as defined in s. 66.0135 (1) (c), that is located wholly or partly within the county. Such lists shall be placed on file for the information of the public. The clerk, secretary, or other administrative officer of a local governmental unit, as defined in s. 66.0137 (1) ~~(ae)~~ (as), shall provide the county clerk the information he or she needs to complete the requirements of this paragraph.

SECTION 2. 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and amended to read:

66.0137 (1) (as) "Local governmental unit" means a ~~municipality, county~~ political subdivision, school district (as enumerated in s. 67.01 (5)), sewerage district, drainage district, and, without limitation because of enumeration, any other political subdivision of the state.

SECTION 3. 66.0137 (1) (af) of the statutes is created to read:

66.0137 (1) (af) "Dies in the line of duty" means a death that occurs, or occurred, as a direct and proximate result of one or more of the following, sustained by a law enforcement officer or fire fighter while he or she was engaged in a line of duty

1 activity or that arose out of and as a result of such an individual's performance of a
2 line of duty activity:

- 3 1. A personal injury.
- 4 2. The contraction of an infectious disease.
- 5 3. Exposure to hazardous materials or conditions.

6 **SECTION 4.** 66.0137 (1) (am) of the statutes is created to read:

7 66.0137 (1) (am) "Law enforcement officer" means all of the following:

8 1. Any person employed by a political subdivision for the purpose of detecting
9 and preventing crime and enforcing laws or ordinances and who is authorized to
10 make arrests for violations of the laws or ordinances that the person is employed to
11 enforce.

12 2. Any jailer who, under the direction of a sheriff under s. 59.27 (1), keeps
13 persons in a county jail.

14 **SECTION 5.** 66.0137 (1) (ap) of the statutes is created to read:

15 66.0137 (1) (ap) "Line of duty activity" means any employment-related action
16 taken by a law enforcement officer or fire fighter that is required or authorized by
17 law, rule, regulation, or condition of employment and for which compensation is
18 provided by his or her employing agency or would have been eligible to have been
19 provided by the employing agency if the law enforcement officer or fire fighter had
20 been on duty when he or she took the action in question.

21 **SECTION 6.** 66.0137 (1) (c) of the statutes is created to read:

22 66.0137 (1) (c) "Political subdivision" means any municipality or county.

23 **SECTION 7.** 66.0137 (3) of the statutes is amended to read:

24 66.0137 (3) HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Any ~~municipality or~~
25 ~~county~~ political subdivision may purchase health or dental insurance for

1 unemployed persons residing in the ~~municipality or county~~ political subdivision who
2 are not eligible for medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a).

3 **SECTION 8.** 66.0137 (4m) (a) of the statutes is amended to read:

4 66.0137 (4m) (a) Notwithstanding sub. (1) ~~(ae)~~ (as), in this subsection, "local
5 governmental unit" means a city, village, town, county, or school district.

6 **SECTION 9.** 66.0137 (5) (c) 1. of the statutes is amended to read:

7 66.0137 (5) (c) 1. Except as provided in subds. 2. and 3., if a municipality
8 provides for the payment of premiums for hospital, surgical, and other health
9 insurance for its fire fighters, it shall continue to pay such premiums for the
10 surviving spouse and dependent children of ~~a~~ the fire fighter who dies in the line
11 of duty.

12 **SECTION 10.** 66.0137 (5) (c) 1m. of the statutes is created to read:

13 66.0137 (5) (c) 1m. Except as provided in subds. 2. and 3., if a political
14 subdivision provides for the payment of premiums for hospital, surgical, and other
15 health insurance for its law enforcement officers, it shall continue to pay such
16 premiums for the surviving spouse and dependent children of the law enforcement
17 officer who dies while in the line of duty.

18 **SECTION 11.** 66.0137 (5) (c) 2. of the statutes is amended to read:

19 66.0137 (5) (c) 2. A ~~municipality~~ political subdivision may not be required to
20 pay the premiums described in subd. 1. or 1m. for a surviving spouse upon the
21 remarriage of the surviving spouse or upon the surviving spouse reaching the age of
22 65.

23 **SECTION 12.** 66.0137 (5) (c) 3. of the statutes is repealed and recreated to read:

24 66.0137 (5) (c) 3. An individual is not a dependent child for the purposes of
25 subd. 1. or 1m. after the individual reaches the age of 26.

2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0335/P2ins
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INSERT ANL:

Also under the bill, a political subdivision that pays such health insurance premiums may file a request for reimbursement for its costs with the Public Service Commission, which is required to provide reimbursement. The bill allows the PSC to contract with the department of revenue to administer the reimbursements. The reimbursement payments are funded by a fee called the "police and fire protection fee," which current law requires communications providers and prepaid wireless retailers to collect from their customers.

2

INSERT 2-1:

3

SECTION 1. 20.155 (3) (t) of the statutes is amended to read:

4

20.155 (3) (t) *Police and fire protection fee administration.* From the police and

5

fire protection fund, the amounts in the schedule for the costs of administering s. ss.

6

66.0137 (5) (d) and 196.025 (6).

History: 1971 c. 125; 1973 c. 90; 1975 c. 39; 1977 c. 29; 1979 c. 34; 1981 c. 20; 1985 a. 79, 296, 297, 332; 1987 a. 27, 399; 1991 a. 39, 269; 1993 a. 16, 123; 1995 a. 27; 1997 a. 27, 140, 229; 1999 a. 9, 32, 84, 150, 196; 2001 a. 16, 30; 2003 a. 48; 2005 a. 179; 2007 a. 20, 130; 2009 a. 28, 180, 383; 2011 a. 22; 2013 a. 20; 2015 a. 55, 299; 2017 a. 59 ss. 198 to 199m, 418; 2017 a. 136.

7

SECTION 2. 20.155 (3) (u) of the statutes is created to read:

8

20.155 (3) (u) *Line of duty health insurance reimbursement.* From the police

9

and fire protection fund, a sum sufficient to make reimbursements under s. 66.0137

10

(5) (d).

11

SECTION 3. 20.835 (1) (db) of the statutes is amended to read:

12

20.835 (1) (db) *County and municipal aid account.* A sum sufficient to make

13

payments to counties, towns, villages, and cities under s. 79.035, less the amount

14

paid from the appropriation appropriations under par. (r) and s. 20.155 (3) (u).

History: 1971 c. 125 ss. 192 to 195, 521; 1971 c. 215; 1973 c. 90, 158, 333; 1975 c. 39; 1975 c. 372 s. 41; 1975 c. 424; 1977 c. 29, 31, 313, 418, 447; 1979 c. 34 ss. 637m to 643m, 2102 (46) (d); 1979 c. 221; 1979 c. 329 s. 25 (1); 1979 c. 350 s. 27 (1); 1981 c. 1, 20, 93, 317; 1983 a. 2 ss. 1, 12; 1983 a. 27 ss. 489m, 490m, 2202 (45); 1985 a. 29, 41, 205; 1987 a. 27 ss. 473 to 474r, 476; 1987 a. 92; 1987 a. 312 s. 17; 1987 a. 323, 328, 399, 411, 422; 1989 a. 31 ss. 551 to 557m, 564m; 1989 a. 56 s. 259; 1989 a. 336; 1991 a. 37; 1991 a. 39 ss. 250m, 653m to 659m; 1991 a. 225, 269; 1993 a. 16, 263; 1995 a. 27, 56, 209, 417; 1997 a. 27, 237; 1999 a. 5, 9, 10; 1999 a. 150 s. 672; 1999 a. 167; 2001 a. 16, 105, 109; 2003 a. 31, 33, 320; 2005 a. 25, 361, 405, 483; 2007 a. 20, 96, 97, 226; 2009 a. 2, 28, 269, 295; 2011 a. 32; 2011 a. 260 s. 80; 2013 a. 20; 2015 a. 55, 114; 2017 a. 58, 59, 270, 367; s. 13.92 (1) (bm) 2., (2) (i).

15

SECTION 4. 20.835 (1) (r) of the statutes is amended to read:

16

20.835 (1) (r) *County and municipal aid account; police and fire protection*

17

fund. From the police and fire protection fund, after deducting the amounts

1 appropriated from that fund under ss. 20.155 (3) (t) and 20.465 (3) (q) and (qm) and
 2 the amount paid from the appropriation under s. 20.155 (3) (u), all moneys received
 3 from the fees collected under s. 196.025 (6) to make the payments under s. 79.035.

History: 1971 c. 125 ss. 192 to 195, 521; 1971 c. 215; 1973 c. 90, 158, 333; 1975 c. 39; 1975 c. 372 s. 41; 1975 c. 424; 1977 c. 29, 31, 313, 418, 447; 1979 c. 34 ss. 637m to 643m, 2102 (46) (d); 1979 c. 221; 1979 c. 329 s. 25 (1); 1979 c. 350 s. 27 (1); 1981 c. 1, 20, 93, 317; 1983 a. 2 ss. 1, 12; 1983 a. 27 ss. 489m, 490m, 2202 (45); 1985 a. 29, 41, 205; 1987 a. 27 ss. 473 to 474r, 476; 1987 a. 92; 1987 a. 312 s. 17; 1987 a. 323, 328, 399, 411, 422; 1989 a. 31 ss. 551 to 557m, 564m; 1989 a. 56 s. 259; 1989 a. 336; 1991 a. 37; 1991 a. 39 ss. 250m, 653m to 659m; 1991 a. 225, 269; 1993 a. 16, 263; 1995 a. 27, 56, 209, 417; 1997 a. 27, 237; 1999 a. 5, 9, 10; 1999 a. 150 s. 672; 1999 a. 167; 2001 a. 16, 105, 109; 2003 a. 31, 33, 320; 2005 a. 25, 361, 405, 483; 2007 a. 20, 96, 97, 226; 2009 a. 2, 28, 269, 295; 2011 a. 32; 2011 a. 260 s. 80; 2013 a. 20; 2015 a. 55, 114; 2017 a. 58, 59, 270, 367; s. 13.92 (1) (bm) 2., (2) (i).

4 **INSERT 5-5:**

5 **SECTION 5.** 66.0137 (5) (d) of the statutes is created to read:

6 66.0137 (5) (d) If a political subdivision pays the premiums described in par.
 7 (c) 1. or 1m., annually, the political subdivision shall file with the public service
 8 commission a request for reimbursement, along with any documentation requested
 9 by the public service commission, for such amounts paid in the previous year. The
 10 commission shall reimburse the political subdivision from the appropriation under
 11 s. 20.155 (3) (u). The public service commission may contract with the department
 12 of revenue to carry out the commission's duties under this paragraph.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0335/P2
MES&MDK:kjf

P3
RMR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

MON

[Handwritten signature]

1 **AN ACT** *to renumber and amend* 66.0137 (1) (ae); *to amend* 20.155 (3) (t),
2 20.835 (1) (db), 20.835 (1) (r), 59.23 (2) (s), 66.0137 (3), 66.0137 (4m) (a), 66.0137
3 (5) (c) 1. and 66.0137 (5) (c) 2.; *to repeal and recreate* 66.0137 (5) (c) 3.; and
4 *to create* 20.155 (3) (u), 66.0137 (1) (af), 66.0137 (1) (am), 66.0137 (1) (ap),
5 66.0137 (1) (c), 66.0137 (5) (c) 1m., 66.0137 (5) (c) 4. and 66.0137 (5) (d) of the
6 statutes; **relating to:** requiring political subdivisions to pay health insurance
7 premiums for survivors of a law enforcement officer who dies ~~(or has died)~~ in the
8 line of duty and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires a political subdivision (a city, village, town, or county) to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who dies ~~or has died~~ in the line of duty, if the political subdivision paid such premiums for the law enforcement officer while he or she was employed by the political subdivision. The requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a surviving child after he or she reaches the age of 26. Current law provides similar benefits to the surviving spouse and dependent children of a fighter fighter who dies, or has died, in the line of duty if the municipality (city, village, or town) paid such premiums for the fire fighter while he or she was employed by the municipality.

Also under the bill, a political subdivision that pays such health insurance premiums may file a request for reimbursement for its costs with the Public Service Commission, which is required to provide reimbursement. The bill allows the PSC to contract with the Department of Revenue to administer the reimbursements. The reimbursement payments are funded by a fee called the “police and fire protection fee,” which current law requires communications providers and prepaid wireless retailers to collect from their customers.

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:

1 **SECTION 1.** 20.155 (3) (t) of the statutes is amended to read:

2 20.155 (3) (t) *Police and fire protection fee administration.* From the police and
3 fire protection fund, the amounts in the schedule for the costs of administering ~~s. ss.~~
4 66.0137 (5) (d) and 196.025 (6).

5 **SECTION 2.** 20.155 (3) (u) of the statutes is created to read:

6 20.155 (3) (u) *Line of duty health insurance reimbursement.* From the police
7 and fire protection fund, a sum sufficient to make reimbursements under s. 66.0137
8 (5) (d).

9 **SECTION 3.** 20.835 (1) (db) of the statutes is amended to read:

10 20.835 (1) (db) *County and municipal aid account.* A sum sufficient to make
11 payments to counties, towns, villages, and cities under s. 79.035, less the amount
12 paid from the ~~appropriation~~ appropriations under par. (r) and s. 20.155 (3) (u).

13 **SECTION 4.** 20.835 (1) (r) of the statutes is amended to read:

14 20.835 (1) (r) *County and municipal aid account; police and fire protection*
15 *fund.* From the police and fire protection fund, after deducting the amounts
16 appropriated from that fund under ss. 20.155 (3) (t) and 20.465 (3) (q) and (qm) and

1 the amount paid from the appropriation under s. 20.155 (3) (u), all moneys received
2 from the fees collected under s. 196.025 (6) to make the payments under s. 79.035.

3 **SECTION 5.** 59.23 (2) (s) of the statutes is amended to read:

4 59.23 (2) (s) *List of local officials.* Annually, on the first Tuesday of June,
5 transmit to the secretary of state a list showing the name, phone number, electronic
6 mail address, and post-office address of local officials, including the chairperson,
7 mayor, president, clerk, treasurer, council and board members, and assessor of each
8 municipality, and of the elective or appointive officials of any other local
9 governmental unit, as defined in s. 66.0135 (1) (c), that is located wholly or partly
10 within the county. Such lists shall be placed on file for the information of the public.
11 The clerk, secretary, or other administrative officer of a local governmental unit, as
12 defined in s. 66.0137 (1) (~~ae~~) (as), shall provide the county clerk the information he
13 or she needs to complete the requirements of this paragraph.

14 **SECTION 6.** 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and
15 amended to read:

16 66.0137 (1) (as) “Local governmental unit” means a ~~municipality, county~~
17 political subdivision, school district (as enumerated in s. 67.01 (5)), sewerage district,
18 drainage district, and, without limitation because of enumeration, any other political
19 subdivision of the state.

20 **SECTION 7.** 66.0137 (1) (af) of the statutes is created to read:

21 66.0137 (1) (af) “Dies in the line of duty” means a death that occurs, or occurred,
22 as a direct and proximate result of one or more of the following, sustained by a law
23 enforcement officer or fire fighter while he or she was engaged in a line of duty
24 activity or that arose out of and as a result of such an individual’s performance of a
25 line of duty activity:

- 1 1. A personal injury.
- 2 2. The contraction of an infectious disease.
- 3 3. Exposure to hazardous materials or conditions.

4 **SECTION 8.** 66.0137 (1) (am) of the statutes is created to read:

5 66.0137 (1) (am) "Law enforcement officer" means all of the following:

- 6 1. Any person employed by a political subdivision for the purpose of detecting
7 and preventing crime and enforcing laws or ordinances and who is authorized to
8 make arrests for violations of the laws or ordinances that the person is employed to
9 enforce.
- 10 2. Any jailer who, under the direction of a sheriff under s. 59.27 (1), keeps
11 persons in a county jail.

12 **SECTION 9.** 66.0137 (1) (ap) of the statutes is created to read:

13 66.0137 (1) (ap) "Line of duty activity" means any employment-related action
14 taken by a law enforcement officer or fire fighter that is required or authorized by
15 law, rule, regulation, or condition of employment and for which compensation is
16 provided by his or her employing agency or would have been eligible to have been
17 provided by the employing agency if the law enforcement officer or fire fighter had
18 been on duty when he or she took the action in question.

19 **SECTION 10.** 66.0137 (1) (c) of the statutes is created to read:

20 66.0137 (1) (c) "Political subdivision" means any municipality or county.

21 **SECTION 11.** 66.0137 (3) of the statutes is amended to read:

22 66.0137 (3) HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Any ~~municipality or~~
23 ~~county~~ political subdivision may purchase health or dental insurance for
24 unemployed persons residing in the ~~municipality or county~~ political subdivision who
25 are not eligible for medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a).

1 **SECTION 12.** 66.0137 (4m) (a) of the statutes is amended to read:

2 66.0137 **(4m)** (a) Notwithstanding sub. (1) ~~(ae)~~ (as), in this subsection, “local
3 governmental unit” means a city, village, town, county, or school district.

4 **SECTION 13.** 66.0137 (5) (c) 1. of the statutes is amended to read:

5 66.0137 **(5)** (c) 1. Except as provided in subds. 2. and 3., if a municipality
6 provides for the payment of premiums for hospital, surgical, and other health
7 insurance for its fire fighters, it shall continue to pay such premiums for the
8 surviving spouse and dependent children of ~~a-~~ the fire fighter who dies in the line
9 of duty.

10 **SECTION 14.** 66.0137 (5) (c) 1m. of the statutes is created to read:

11 66.0137 **(5)** (c) 1m. Except as provided in subds. 2. and 3., if a political
12 subdivision provides for the payment of premiums for hospital, surgical, and other
13 health insurance for its law enforcement officers, it shall continue to pay such
14 premiums for the surviving spouse and dependent children of the law enforcement
15 officer who dies while in the line of duty.

16 **SECTION 15.** 66.0137 (5) (c) 2. of the statutes is amended to read:

17 66.0137 **(5)** (c) 2. A ~~municipality~~ political subdivision may not be required to
18 pay the premiums described in subd. 1. or 1m. for a surviving spouse upon the
19 remarriage of the surviving spouse or upon the surviving spouse reaching the age of
20 65.

21 **SECTION 16.** 66.0137 (5) (c) 3. of the statutes is repealed and recreated to read:

22 66.0137 **(5)** (c) 3. An individual is not a dependent child for the purposes of
23 subd. 1. or 1m. after the individual reaches the age of 26.

24 **SECTION 17.** 66.0137 (5) (c) 4. of the statutes is created to read:

Shovers, Marc

From: Clark, Erin
Sent: Tuesday, May 07, 2019 4:31 PM
To: Shovers, Marc
Subject: Change to LRB 0335

Hi Marc,

I'm wondering if we can update the draft for LRB to include Marquette University Police as well, based on the language in Ch 165.85:

165.85 (2)(c) "Law enforcement officer" means any person employed by the state or any political subdivision of the state, for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances that the person is employed to enforce. "Law enforcement officer" includes a university police officer, as defined in s. 175.42 (1) (b).

(4)(b) **2.** Except as provided in subd. 3. or 8., no person may be employed as a law enforcement or tribal law enforcement officer, except on a temporary or probationary basis, unless the person has satisfactorily completed the preparatory training program established under subd. 1. and has been certified by the board as being qualified to be a law enforcement or tribal law enforcement officer.

(4)(a) **7.**
a. Except as provided in subd. 8., no person may continue as a certified law enforcement or tribal law enforcement officer unless that person maintains law enforcement or tribal law enforcement employment and completes annual recertification training. Any officer who is subject to this subdivision shall complete at least 24 hours of recertification training each fiscal year beginning in the fiscal year following the fiscal year in which he or she is certified as a law enforcement or tribal law enforcement officer by the board.

b. Each officer who is subject to this subdivision shall biennially complete at least 4 hours of training from curricula based upon model standards promulgated by the board under par. (d). Hours of training completed under this subd. 7. b. shall count toward the hours of training required under subd. 7. a.

c. Each officer who is subject to this subdivision shall annually complete a handgun qualification course from curricula based upon model standards established by the board under par. (e). Hours of training completed under this subd. 7. c. shall count toward the hours of training required under subd. 7. a.

Let me know if you have any questions. We are planning to introduce this on Monday, so the sooner the better.

Thanks!

Erin Clark
Research Assistant
Office of Rep. John Spiros
86th Assembly District
(608) 266-1182



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0335/P3
MES&MDK:kjf

PC
TWJ RMD

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

today

reagan

1 AN ACT *to renumber and amend* 66.0137 (1) (ae); *to amend* 20.155 (3) (t),
 2 20.835 (1) (db), 20.835 (1) (r), 59.23 (2) (s), 66.0137 (3), 66.0137 (4m) (a), 66.0137
 3 (5) (c) 1. and 66.0137 (5) (c) 2.; *to repeal and recreate* 66.0137 (5) (c) 3.; and
 4 *to create* 20.155 (3) (u), 66.0137 (1) (af), 66.0137 (1) (am), 66.0137 (1) (ap),
 5 66.0137 (1) (c), 66.0137 (5) (c) 1m., 66.0137 (5) (c) 4. and 66.0137 (5) (d) of the
 6 statutes; **relating to:** requiring political subdivisions *and Marquette University* to pay health insurance
 7 premiums for survivors of a law enforcement officer who dies in the line of duty
 8 and making an appropriation.

Marquette or University

Analysis by the Legislative Reference Bureau *and Marquette University*

This bill requires a political subdivision (a city, village, town, or county) to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who dies in the line of duty *if the political subdivision* paid such premiums for the law enforcement officer while he or she was employed by the political subdivision. The requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a surviving child after he or she reaches the age of 26. Current law provides similar benefits to the surviving spouse and dependent children of a fighter fighter who dies, or has died, in the line of duty if the municipality (city, village, or town) paid such premiums for the fire fighter while he or she was employed by the municipality.

*the political subdivision
or university
must if*

for Marquette University

Also, under the bill, a political subdivision that pays such health insurance premiums may file a request for reimbursement for its costs with the Public Service Commission, which is required to provide reimbursement. The bill allows the PSC to contract with the Department of Revenue to administer the reimbursements. The reimbursement payments are funded by a fee called the "police and fire protection fee," which current law requires communications providers and prepaid wireless retailers to collect from their customers.

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:

1 **SECTION 1.** 20.155 (3) (t) of the statutes is amended to read:

2 20.155 (3) (t) *Police and fire protection fee administration.* From the police and
3 fire protection fund, the amounts in the schedule for the costs of administering s. ss.
4 66.0137 (5) (d) and 196.025 (6).

5 **SECTION 2.** 20.155 (3) (u) of the statutes is created to read:

6 20.155 (3) (u) *Line of duty health insurance reimbursement.* From the police
7 and fire protection fund, a sum sufficient to make reimbursements under s. 66.0137
8 (5) (d).

9 **SECTION 3.** 20.835 (1) (db) of the statutes is amended to read:

10 20.835 (1) (db) *County and municipal aid account.* A sum sufficient to make
11 payments to counties, towns, villages, and cities under s. 79.035, less the amount
12 paid from the ~~appropriation~~ appropriations under par. (r) and s. 20.155 (3) (u).

13 **SECTION 4.** 20.835 (1) (r) of the statutes is amended to read:

14 20.835 (1) (r) *County and municipal aid account; police and fire protection*
15 *fund.* From the police and fire protection fund, after deducting the amounts
16 appropriated from that fund under ss. 20.155 (3) (t) and 20.465 (3) (q) and (qm) and

1 the amount paid from the appropriation under s. 20.155 (3) (u), all moneys received
2 from the fees collected under s. 196.025 (6) to make the payments under s. 79.035.

3 **SECTION 5.** 59.23 (2) (s) of the statutes is amended to read:

4 59.23 (2) (s) *List of local officials.* Annually, on the first Tuesday of June,
5 transmit to the secretary of state a list showing the name, phone number, electronic
6 mail address, and post-office address of local officials, including the chairperson,
7 mayor, president, clerk, treasurer, council and board members, and assessor of each
8 municipality, and of the elective or appointive officials of any other local
9 governmental unit, as defined in s. 66.0135 (1) (c), that is located wholly or partly
10 within the county. Such lists shall be placed on file for the information of the public.
11 The clerk, secretary, or other administrative officer of a local governmental unit, as
12 defined in s. 66.0137 (1) (~~ae~~) (as), shall provide the county clerk the information he
13 or she needs to complete the requirements of this paragraph.

14 **SECTION 6.** 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and
15 amended to read:

16 66.0137 (1) (as) "Local governmental unit" means a ~~municipality, county~~
17 political subdivision, school district (as enumerated in s. 67.01 (5)), sewerage district,
18 drainage district, and, without limitation because of enumeration, any other political
19 subdivision of the state.

20 **SECTION 7.** 66.0137 (1) (af) of the statutes is created to read:

21 66.0137 (1) (af) "Dies in the line of duty" means a death that occurs, or occurred,
22 as a direct and proximate result of one or more of the following, sustained by a law
23 enforcement officer or fire fighter while he or she was engaged in a line of duty
24 activity or that arose out of and as a result of such an individual's performance of a
25 line of duty activity:

- 1 1. A personal injury.
- 2 2. The contraction of an infectious disease.
- 3 3. Exposure to hazardous materials or conditions.

4 **SECTION 8.** 66.0137 (1) (am) of the statutes is created to read:

5 66.0137 (1) (am) "Law enforcement officer" means all of the following:

6 1. Any person employed by a political subdivision for the purpose of detecting
7 and preventing crime and enforcing laws or ordinances and who is authorized to
8 make arrests for violations of the laws or ordinances that the person is employed to
9 enforce.

10 2. Any jailer who, under the direction of a sheriff under s. 59.27 (1), keeps
11 persons in a county jail.

*# 3. A Marquette University police officer,
as defined under s. 175.42 (1) (b),
in*

12 **SECTION 9.** 66.0137 (1) (ap) of the statutes is created to read:

13 66.0137 (1) (ap) "Line of duty activity" means any employment-related action
14 taken by a law enforcement officer or fire fighter that is required or authorized by
15 law, rule, regulation, or condition of employment and for which compensation is
16 provided by his or her employing agency or would have been eligible to have been
17 provided by the employing agency if the law enforcement officer or fire fighter had
18 been on duty when he or she took the action in question.

19 **SECTION 10.** 66.0137 (1) (c) of the statutes is created to read:

20 66.0137 (1) (c) "Political subdivision" means any municipality or county.

21 **SECTION 11.** 66.0137 (3) of the statutes is amended to read:

22 66.0137 (3) HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Any ~~municipality or~~
23 ~~county~~ political subdivision may purchase health or dental insurance for
24 unemployed persons residing in the ~~municipality or county~~ political subdivision who
25 are not eligible for medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a).

1 **SECTION 12.** 66.0137 (4m) (a) of the statutes is amended to read:

2 66.0137 (4m) (a) Notwithstanding sub. (1) ~~(ae)~~ (as), in this subsection, “local
3 governmental unit” means a city, village, town, county, or school district.

4 **SECTION 13.** 66.0137 (5) (c) 1. of the statutes is amended to read:

5 66.0137 (5) (c) 1. Except as provided in subds. 2. and 3., if a municipality
6 provides for the payment of premiums for hospital, surgical, and other health
7 insurance for its fire fighters, it shall continue to pay such premiums for the
8 surviving spouse and dependent children of ~~a~~ the fire fighter who dies in the line
9 of duty.

10 **SECTION 14.** 66.0137 (5) (c) 1m. of the statutes is created to read:

11 66.0137 (5) (c) 1m. Except as provided in subds. 2. and 3., if a political
12 subdivision ^{or Marquette University} provides for the payment of premiums for hospital, surgical, and other
13 health insurance for its law enforcement officers, it shall continue to pay such
14 premiums for the surviving spouse and dependent children of the law enforcement
15 officer who dies while in the line of duty.

16 **SECTION 15.** 66.0137 (5) (c) 2. of the statutes is amended to read:

17 66.0137 (5) (c) 2. A municipality political subdivision ^{or Marquette University} may not be required to
18 pay the premiums described in subd. 1. or 1m. for a surviving spouse upon the
19 remarriage of the surviving spouse or upon the surviving spouse reaching the age of
20 65.

21 **SECTION 16.** 66.0137 (5) (c) 3. of the statutes is repealed and recreated to read:

22 66.0137 (5) (c) 3. An individual is not a dependent child for the purposes of
23 subd. 1. or 1m. after the individual reaches the age of 26.

24 **SECTION 17.** 66.0137 (5) (c) 4. of the statutes is created to read:

Shovers, Marc

From: Clark, Erin
Sent: Friday, May 10, 2019 1:37 PM
To: Shovers, Marc
Subject: FW: Draft review: LRB -0335/P4

Can we go ahead and get these jacketed?

Thanks!

From: Kelly, Scott <Scott.Kelly@legis.wisconsin.gov>
Sent: Friday, May 10, 2019 9:32 AM
To: Shovers, Marc <Marc.Shovers@legis.wisconsin.gov>
Cc: Clark, Erin <Erin.Clark@legis.wisconsin.gov>
Subject: RE: Draft review: LRB -0335/P4

Thank you. Assuming Erin asks for a jacket, can you send me a Senate version jacket as well?

Thanks

Scott

From: Shovers, Marc <Marc.Shovers@legis.wisconsin.gov>
Sent: Friday, May 10, 2019 9:31 AM
To: Kelly, Scott <Scott.Kelly@legis.wisconsin.gov>
Subject: FW: Draft review: LRB -0335/P4

Hi Scott:

Erin Clark wanted you to get a copy of this draft. Please let me know if you have any questions.

Thanks,

Marc

Marc Shovers
Senior Legislative Attorney
Legislative Reference Bureau
608-504-5876
marc.shovers@legis.wisconsin.gov

From: Clark, Erin <Erin.Clark@legis.wisconsin.gov>
Sent: Thursday, May 09, 2019 2:38 PM

To: Shovers, Marc <Marc.Shovers@legis.wisconsin.gov>

Subject: FW: Draft review: LRB -0335/P4

Hi Marc,

Thanks for taking care of this so quickly! Could you make sure Scott Kelly in Senator Wanggaard's office has access and gets a copy as well?

Thanks!

Erin Clark

Research Assistant

Office of Rep. John Spiros

86th Assembly District

(608) 266-1182

From: LRB.Legal <lrblegal@legis.wisconsin.gov>

Sent: Thursday, May 09, 2019 1:54 PM

To: Rep.Spiros <Rep.Spiros@legis.wisconsin.gov>

Subject: Draft review: LRB -0335/P4

Following is the PDF version of draft LRB -0335/P4.



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0335/P4
MES&MDK:kjf&wlj

11

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

*No
changes*

1 AN ACT *to renumber and amend* 66.0137 (1) (ae); *to amend* 20.155 (3) (t),
2 20.835 (1) (db), 20.835 (1) (r), 59.23 (2) (s), 66.0137 (3), 66.0137 (4m) (a), 66.0137
3 (5) (c) 1. and 66.0137 (5) (c) 2.; *to repeal and recreate* 66.0137 (5) (c) 3.; and
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5 66.0137 (1) (c), 66.0137 (5) (c) 1m., 66.0137 (5) (c) 4. and 66.0137 (5) (d) of the
6 statutes; **relating to:** requiring political subdivisions and Marquette
7 University to pay health insurance premiums for survivors of a law
8 enforcement officer who dies in the line of duty and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill requires a political subdivision (a city, village, town, or county) and Marquette University to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who dies in the line of duty if the political subdivision or university paid such premiums for the law enforcement officer while he or she was employed by the political subdivision or university. The requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a surviving child after he or she reaches the age of 26. Current law provides similar benefits to the surviving spouse and dependent children of a fighter fighter who dies, or has died, in the line of duty if the municipality (city, village, or



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0335/1
MES&MDK:kjf&wlj

2019 BILL

5-31-19
KJF
corrected
copy

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2 20.835 (1) (db), 20.835 (1) (r), 59.23 (2) (s), 66.0137 (3), 66.0137 (4m) (a), 66.0137
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fire



2019 BILL

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7 University to pay health insurance premiums for survivors of a law
8 enforcement officer who dies in the line of duty and making an appropriation.

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This bill requires a political subdivision (a city, village, town, or county) and Marquette University to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who dies in the line of duty if the political subdivision or university paid such premiums for the law enforcement officer while he or she was employed by the political subdivision or university. The requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a surviving child after he or she reaches the age of 26. Current law provides similar benefits to the surviving spouse and dependent children of a fire fighter who dies, or has died, in the line of duty if the municipality (city, village, or

