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**1987 Assembly Bill 843**

Date of enactment: **April 21, 1988**  
Date of publication: **May 2, 1988**

## **1987 Wisconsin Act 350**

AN ACT *to amend* 164.01 and 164.05; and *to create* 164.06 of the statutes, *relating to* candidacy for elective office of law enforcement officers employed by certain local governments.

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

SECTION 1. 164.01 of the statutes is amended to read:

**164.01 Definition.** In this chapter ss. 164.015 to 164.05, “law enforcement officer” has the meaning designated in s. 165.85 (2) (c).

SECTION 2. 164.05 of the statutes is amended to read:

**164.05 Applicability.** ~~This chapter applies~~ Sections 164.01 to 164.04 apply only to law enforcement officers employed by 1st class cities or counties having a population of 500,000 or more.

SECTION 3. 164.06 of the statutes is created to read:

**164.06 Officers may be candidates.** (1) In this section, “law enforcement officer” means any person employed by a city, village, town or county, other than a 1st class city or a county having a population of 500,000 or more, for the purpose of detecting and preventing crime and enforcing laws or ordinances,

who is authorized to make arrests for violations of the laws or ordinances which he or she is employed to enforce.

(2) No city, village, town or county may prohibit a law enforcement officer from being a candidate for any elective public office, if that law enforcement officer is otherwise qualified to be a candidate. 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. This section does not affect the authority of a city, village, town or county to regulate the conduct of a law enforcement officer while the law enforcement officer is on duty or otherwise acting in an official capacity.

SECTION 4. **Initial applicability.** This act first applies to a law enforcement officer whose position is covered by a collective bargaining agreement in effect on the effective date of this SECTION which is inconsistent with this act upon the expiration, renewal or extension of the collective bargaining agreement.