

State of Wisconsin



2009 Assembly Bill 128

Date of enactment: **March 10, 2010**

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2009 WISCONSIN ACT 154

AN ACT *to create* 59.26 (4m), 102.29 (11) and 895.46 (1) (dm) of the statutes; **relating to:** authorizing a sheriff to depute certain security officers who are employed by the Department of Military Affairs.

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

SECTION 1. 59.26 (4m) of the statutes is created to read:

59.26 (4m) (a) The sheriff or undersheriff may depute in writing security officers employed by the department of military affairs, subject to the approval of the adjutant general or his or her designee, for the purpose of conducting routine external security checks around military installations in this state. The sheriff or undersheriff shall specify in writing the jurisdiction of an officer deputed under this paragraph. In this paragraph, "external security checks" means a security check of areas immediately adjacent to a military installation, or of critical concern to the installation's commander as determined by the commander, for the sole purpose of protecting the installation's state and federal personnel, assets, and equipment.

(b) The provisions of sub. (8) (b) do not apply to an individual deputed under par. (a), and such a person shall serve at the pleasure of the deputing authority.

(c) An individual deputed under par. (a) remains a state employee for all purposes.

SECTION 2. 102.29 (11) of the statutes is created to read:

102.29 (11) No security officer employed by the department of military affairs who is deputed under s. 59.26 (4m), who remains an employee of the state for purposes of worker's compensation coverage while conducting routine external security checks around military installations in this state, and who makes a claim for compensation under this chapter may make a claim or bring an action in tort against the county in which the security officer is conducting routine external security checks or against the sheriff or undersheriff who deputed the security officer.

SECTION 3. 895.46 (1) (dm) of the statutes is created to read:

895.46 (1) (dm) All security officers employed by the department of military affairs who are deputed under s. 59.26 (4m) are covered by this section while acting within the scope of their duties assigned under s. 59.26 (4m), as if they were state employees acting within the scope of their state employment.

* 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].