



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2003 Wisconsin Act 79 [2003 Assembly Bill 141]	Eligibility of Municipal Employees to be Candidates for Elective Public Office
2003 Acts: www.legis.state.wi.us/2003/data/acts/	Act Memos: www.legis.state.wi.us/lc/act_memo/act_memo.htm

BACKGROUND

Prior to the effective date of 2003 Wisconsin Act 79, no municipality other than a first-class city (Milwaukee) or a county with a population of 500,000 or more (Milwaukee County), could prohibit a law enforcement officer employed by a municipality from being a candidate for elected public office if he or she is otherwise qualified to be a candidate. In addition, no law enforcement officer could 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.

2003 WISCONSIN ACT 79

2003 Wisconsin Act 79 provides that no municipality, including a first-class city and a county with a population of 500,000 or more, may prohibit any other employee of the municipality from being a candidate for elective office, if he or she is otherwise qualified to be a candidate. In addition, the Act provides that 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 provisions of the Act do not apply to individuals to whom the federal Hatch Act applies. Generally, the federal Hatch Act prohibits state or local officers whose positions are funded by federal funds from being candidates for elective office unless they take a leave of absence.

Effective Date: 2003 Wisconsin Act 79 takes effect on December 6, 2003.

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November 26, 2003

RJC:ksm:tlu

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents.