
Wisconsin Legislative Council

AMENDMENT MEMO



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2021 Assembly Bill 24

**Assembly Substitute
Amendment 1**

2021 ASSEMBLY BILL 24

Under **current law**, local health officers must “promptly take all measures necessary to prevent, suppress and control communicable diseases.” Along with certain other, more specific powers relating to the control of communicable disease, local health officers also have general authority to “do what is reasonable and necessary for the prevention and suppression of disease.” [s. 252.03 (1) and (2), Stats.]

2021 Assembly Bill 24 prohibits a local health officer from ordering the closure of, or forbidding gatherings in, places of worship to control outbreaks and epidemics of the 2019 novel coronavirus.

ASSEMBLY SUBSTITUTE AMENDMENT 1

Assembly Substitute Amendment 1 modifies the prohibition in the bill to: (1) specify that the prohibition applies notwithstanding local health officers’ general statutory authority to control communicable diseases; (2) prohibit local health officers from “taking any action,” rather than “ordering” restrictions; (3) clarify that the prohibition under the bill applies to variants and mutations of the 2019 novel coronavirus; and (4) specify that the bill should not be construed to confer any new authority.

Specifically, notwithstanding local health officers’ general authority to control communicable diseases, the substitute amendment prohibits local health officers from taking any action to close or forbid gatherings in places of worship to control outbreaks and epidemics of the 2019 novel coronavirus or any variant or virus derived as a mutation of the 2019 novel coronavirus. The substitute amendment also specifies that it shall not be construed to confer any authority on a local health officer to close or restrict capacity in places of worship or any other entities.

BILL HISTORY

Representative Thiesfeldt offered Assembly Substitute Amendment 1 on March 9, 2021, following a public hearing on the bill. On March 10, 2021, the Assembly Committee on Constitution and Ethics voted to recommend adoption of the amendment and passage of the bill, as amended, both on votes of Ayes, 6; Noes, 3.

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