

State of Misconsin 2001 - 2002 LEGISLATURE

LRB-4289/1 MES:rs&kmg:jf

2001 SENATE BILL 478

February 28, 2002 – Introduced by Senator BURKE, cosponsored by Representatives KRUG, MUSSER, TURNER, JESKEWITZ, MILLER, CARPENTER, J. LEHMAN and BERCEAU. Referred to Committee on Universities, Housing, and Government Operations.

1 AN ACT *to create* 66.0501 (5) of the statutes; **relating to:** the eligibility of 2 employees of cities, villages, towns, and counties to be candidates for elective 3 public office.

Analysis by the Legislative Reference Bureau

Under current law, no political subdivision (city, village, town, or county), other than a 1st class city (currently only Milwaukee) or a county with a population of 500,000 or more (currently only Milwaukee County), may prohibit a law enforcement officer who is employed by a political subdivision from being a candidate for elective public office, if he or she is otherwise qualified to be a candidate. Also under current law, 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.

Under this bill, no political subdivision, including a 1st class city and a county with a population of 500,000 or more, may prohibit any other employee of a political subdivision from being a candidate for elective public office, if he or she is otherwise qualified to be a candidate. Also under the bill, 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.

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:

2001 - 2002 Legislature

SENATE BILL 478

1	SECTION 1. 66.0501 (5) of the statutes is created to read:
2	66.0501 (5) EMPLOYEES MAY BE CANDIDATES. (a) In this subsection:
3	1. "Political subdivision" means a city, village, town, or county.
4	2. "Public employee" means any individual employed by a political subdivision,
5	other than an individual to whom s. 164.06 applies.
6	(b) No political subdivision may prohibit a public employee from being a
7	candidate for any elective public office, if that individual is otherwise qualified to be
8	a candidate. No public employee may be required, as a condition of being a candidate
9	for any elective public office, to take a leave of absence during his or her candidacy.
10	This subsection does not affect the authority of a political subdivision to regulate the
11	conduct of a public employee while the public employee is on duty or otherwise acting
12	in an official capacity.
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(END)