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2005 ASSEMBLY BILL 599

August 9, 2005 – Introduced by Representatives Toles, Colon, Richards, A. Williams, Parisi, Grigsby, Fields, Berceau, Townsend, Wood, Jeskewitz and Wasserman, cosponsored by Senators Coggs, Grothman and Taylor. Referred to Committee on Corrections and the Courts.

- AN ACT to amend 62.50 (18) of the statutes; relating to: payment of a 1st class
- 2 city police officer's salary after discharge.

Analysis by the Legislative Reference Bureau

Under current law, no member of the police force of a first class city (presently only Milwaukee) may be suspended or discharged without pay or benefits until the matter that is the subject of the suspension or discharge is disposed of by the board of fire and police commissioners or the time for an appeal passes without an appeal being made. Also under current law, if the board's decision upholding the discharge or suspension is reversed, the member must be reinstated to his or her former position in the department and is entitled to pay as if he or she was not suspended or discharged.

This bill removes the current law's provisions relating to the payment of the salary of police officers who are discharged. The bill does not affect current law provisions relating to reinstatement and back pay for a member if the board's decision is reversed.

For further information see the *state and 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:

Section 1. 62.50 (18) of the statutes is amended to read:

ASSEMBLY BILL 599

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62.50 (18) Salary during suspension. No chief officer of either department or member of the fire department may be deprived of any salary or wages for the period of time suspended preceding an investigation or trial, unless the charge is sustained. No member of the police force may be suspended or discharged under sub. (11) or (13) without pay or benefits until the matter that is the subject of the suspension or discharge is disposed of by the board or the time for appeal under sub. (13) passes without an appeal being made.

SECTION 2. Initial applicability.

(1) This act first applies to any member of the police force who is covered by a collective bargaining agreement that contains provisions inconsistent with this act on the day on which the collective bargaining agreement expires or is extended, modified, or renewed, whichever occurs first.

13 (END)