



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0968/1
MES:jld:jf

2011 ASSEMBLY BILL 27

February 22, 2011 – Introduced by Representatives SPANBAUER, BERCEAU, BERNIER, BIES, DANOU, HEBL, KAUFERT, KRUG, KRUSICK, MASON, MILROY, PASCH, POPE-ROBERTS, RIPP, SINICKI, TURNER, WYNN and ZEPNICK, cosponsored by Senators JAUCH, WANGGAARD, CARPENTER, HANSEN, RISSER and TAYLOR. Referred to Committee on Urban and Local Affairs.

1 **AN ACT** *to repeal* 66.0137 (4m) (a); *to renumber and amend* 66.0137 (1) (ae);
2 *to amend* 66.0137 (3), 66.0137 (5) (c) 2. and 66.0137 (5) (c) 3. (intro.); and *to*
3 *create* 66.0137 (1) (am), 66.0137 (1) (c) and 66.0137 (5) (c) 1m. of the statutes;
4 **relating to:** requiring political subdivisions to pay health insurance premiums
5 for survivors of a law enforcement officer who dies, or has died, in the line of
6 duty.

Analysis by the Legislative Reference Bureau

Subject to a number of limitations, current law requires a city, village, or town (municipality) that pays the health insurance premiums for its employees who are fire fighters to pay such premiums for the surviving spouse and dependent children of a fire fighter who dies, or has died, in the line of duty.

This general current law requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a dependent child who reaches the age of 18 and is not a full-time high school student. Current law does require premium payments to be made for a dependent child who is a full-time or part-time student in an accredited college or university until the close of the calendar year in which the individual reaches the age of 27.

This bill extends the current law requirement for continued health insurance premium payments to the surviving spouse and dependent children of a municipal or county law enforcement officer who dies, or has died, in the line of duty, subject to the same limitations that apply under current law.

ASSEMBLY BILL 27

The bill first applies, retroactively, to a law enforcement officer who has died in the line of duty before the effective date of the bill.

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:

1 **SECTION 1.** 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and
2 amended to read:

3 66.0137 (1) (as) “Local governmental unit” means a ~~municipality, county~~
4 political subdivision, school district (as enumerated in s. 67.01 (5)), sewerage district,
5 drainage district, and, without limitation because of enumeration, any other political
6 subdivision of the state.

7 **SECTION 2.** 66.0137 (1) (am) of the statutes is created to read:

8 66.0137 (1) (am) “Law enforcement officer” means any person employed by a
9 political subdivision for the purpose of detecting and preventing crime and enforcing
10 laws or ordinances and who is authorized to make arrests for violations of the laws
11 or ordinances that the person is employed to enforce.

12 **SECTION 3.** 66.0137 (1) (c) of the statutes is created to read:

13 66.0137 (1) (c) “Political subdivision” means any municipality or county.

14 **SECTION 4.** 66.0137 (3) of the statutes is amended to read:

15 66.0137 (3) HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Any ~~municipality or~~
16 ~~county~~ political subdivision may purchase health or dental insurance for
17 unemployed persons residing in the municipality or county who are not eligible for
18 medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a) or (b).

19 **SECTION 5.** 66.0137 (4m) (a) of the statutes is repealed.

20 **SECTION 6.** 66.0137 (5) (c) 1m. of the statutes is created to read:

ASSEMBLY BILL 27

1 66.0137 (5) (c) 1m. Except as provided in subds. 2. and 3., if a political
2 subdivision provides for the payment of premiums for hospital, surgical, and other
3 health insurance for its law enforcement officers, it shall continue to pay such
4 premiums for the surviving spouse and dependent children of a law enforcement
5 officer who dies in the line of duty.

6 **SECTION 7.** 66.0137 (5) (c) 2. of the statutes is amended to read:

7 66.0137 (5) (c) 2. A municipality may not be required to pay the premiums
8 described in subd. 1., and a political subdivision may not be required to pay the
9 premiums described in subd. 1m., for a surviving spouse upon the remarriage of the
10 surviving spouse or upon the surviving spouse reaching the age of 65.

11 **SECTION 8.** 66.0137 (5) (c) 3. (intro.) of the statutes is amended to read:

12 66.0137 (5) (c) 3. (intro.) An individual is not a dependent child for the purposes
13 of subd. 1. or 1m. after the individual reaches the age of 18 unless one of the following
14 applies:

15 **SECTION 9. Initial applicability.**

16 (1) This act first applies, retroactively, to a law enforcement officer who has died
17 in the line of duty before the effective date of this subsection.

18

(END)