



2011 ASSEMBLY BILL 65

March 28, 2011 – Introduced by Representatives KRAMER, KUGLITSCH and HONADEL, cosponsored by Senators VUKMIR, WANGGAARD and LAZICH. Referred to Committee on Labor and Workforce Development.

1 **AN ACT to renumber** 62.53; **to amend** 62.53 (title) and 63.25 (1) (a); and **to**
2 **create** 62.53 (2) of the statutes; **relating to:** placing limits on residency
3 requirements for 1st class city police officers and fire fighters.

Analysis by the Legislative Reference Bureau

Under current law, a 1st class city (presently only Milwaukee) is required to have a civil service commission which is required to make rules to carry out the purposes specified in state statutes. One of the statutes requires that the city provide competitive examinations to test applicants for employment as to their practical fitness to perform the duties of the position for which they have applied. The examinations must be public and free, and may contain proper limitations in areas including residence, age and health.

Under this bill, if a 1st class city has residency requirements for its employees who are police officers or fire fighters, the residency requirement must at least allow such individuals to live in the county in which the 1st class city is entirely or predominantly located and in any county that is adjacent to the county in which the city is entirely or predominantly located.

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:

ASSEMBLY BILL 65

1 **SECTION 1.** 62.50 (5) of the statutes is amended to read:

2 **62.50 (5) EXAMINATIONS.** The examinations which the rules and regulations
3 provide for shall be public and free to all U.S. citizens with proper limitations as to
4 residence, age, ~~health~~ subject to s. 62.53 (2); age; health; and, subject to ss. 111.321,
5 111.322 and 111.335, arrest and conviction record. The examinations shall be
6 practical in their character and shall relate to those matters which fairly test the
7 relative capacity of the candidates to discharge the duties of the positions in which
8 they seek employment or to which they seek to be appointed and may include tests
9 of manual skill and physical strength. The board shall control all examinations and
10 may designate suitable persons, either in the official service of the city or not, to
11 conduct such examinations and may change such examiners at any time, as seems
12 best.

13 **SECTION 2.** 62.53 (title) of the statutes is amended to read:

14 **62.53 (title) Residency required for public officials in 1st class cities;**
15 **limits on police and fire residency requirements in 1st class cities.**

16 **SECTION 3.** 62.53 of the statutes is renumbered 62.53 (1).

17 **SECTION 4.** 62.53 (2) of the statutes is created to read:

18 **62.53 (2)** If a 1st class city imposes a residency requirement on police officers
19 or fire fighters, the residency requirement shall at least allow the police officers and
20 fire fighters to live in all of the following:

21 (a) The county in which the 1st class city is entirely or predominantly located.

22 (b) Any county that is adjacent to the county in which the first class city is
23 entirely or predominantly located.

24 **SECTION 5. Initial applicability.**

ASSEMBLY BILL 65

1 (1) This act first applies to the imposition of any residency requirement for a
2 police officer or fire fighter who is an employee of a first class city who is covered by
3 a collective bargaining agreement that is in effect on the effective date of this
4 subsection upon the expiration, extension, renewal, or modification of the
5 agreement.

6

(END)