



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-3149/1
MED:wlj

2025 ASSEMBLY BILL 367

July 17, 2025 - Introduced by Representatives DALLMAN, HAYWOOD, BARE, BROOKS, DE SMIDT, DITTRICH, GOODWIN, GREEN, KREIBICH, MURPHY, MURSAU, O'CONNOR, ORTIZ-VELEZ, SHEEHAN, SINICKI, SNODGRASS, STEFFEN, SUBECK, SWEARINGEN and TUSLER, cosponsored by Senators FEYEN, CARPENTER, BRADLEY, DASSLER-ALFHEIM, SPREITZER and WIRCH. Referred to Committee on State Affairs.

1 **AN ACT** *to amend* 104.09; *to create* 103.023 and 104.01 (2) (b) 6. of the
2 statutes; **relating to:** exemptions from minimum wage, overtime pay, and
3 recordkeeping requirements for minor league baseball players.

Analysis by the Legislative Reference Bureau

Currently, the state minimum wage law requires that employers pay the applicable minimum wage set in statute to their employees and that employers keep certain records that include hours of employment and wages for employees. This bill exempts from these requirements individuals who have entered into a contract to play minor league baseball and who are compensated under a collective bargaining agreement that expressly provides for wages and working conditions.

Also under current law, the Department of Workforce Development must classify by rule periods of work as periods to be paid at an employee's regular rate of pay and periods to be paid at an overtime rate of at least one and one-half times that regular rate. DWD has promulgated rules requiring employers to pay overtime pay for all hours worked in excess of 40 hours per week and to keep certain records that include hours of employment and wages for employees but exempting certain employees from the overtime pay requirements. This bill exempts from these overtime pay and recordkeeping requirements individuals who have entered into a

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contract to play minor league baseball and who are compensated under a collective bargaining agreement that expressly provides for wages and working conditions.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 103.023 of the statutes is created to read:

2 **103.023 Hours of labor and recordkeeping; minor league baseball**

3 **players. (1)** In promulgating rules under s. 103.02 classifying periods of time into
4 periods to be paid for at regular rates and periods to be paid for at the rate of at least
5 one and one-half times the regular rates, the department shall exempt from the
6 application of those rules an individual who has entered into a contract to play
7 baseball at the minor league level and who is compensated pursuant to the terms of
8 a collective bargaining agreement that expressly provides for wages and working
9 conditions.

10 **(2)** The department shall also exempt an individual described in sub. (1) from
11 the application of rules promulgated under s. 103.02 or 104.09 that require
12 employers to keep records of the hours of employment and wages of employees.

13 **SECTION 2.** 104.01 (2) (b) 6. of the statutes is created to read:

14 **104.01 (2) (b) 6.** Any individual who has entered into a contract to play
15 baseball at the minor league level and who is compensated pursuant to the terms of
16 a collective bargaining agreement that expressly provides for wages and working
17 conditions.

18 **SECTION 3.** 104.09 of the statutes is amended to read:

19 **104.09 Records.** Each employer shall keep a record of the names and
20 addresses of all student learners and employees, the hours of employment and

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1 wages of each, and such other records pertaining to ability as the department
2 requires, except that an employer is not required to keep a record of the hours of
3 employment of an individual who is exempt under ss. 103.023 and 104.01 (2) (b) 6.
4 or of any other employee who is exempt under rules promulgated by the department
5 from the requirement under s. 103.02 that an employee be paid overtime
6 compensation, as defined in s. 103.025 (1) (c), and who is not compensated on an
7 hourly rate basis.

8 (END)