



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-6086/1
TJD:cjs

2021 ASSEMBLY BILL 1075

March 3, 2022 - Introduced by Representatives PENTERMAN, DITTRICH, JAMES and SCHRAA, cosponsored by Senators JAGLER, MARKLEIN, BALLWEG and ROTH. Referred to Committee on State Affairs.

1 **AN ACT** *to create* 252.03 (5) of the statutes; **relating to:** actions by local health
2 officers.

Analysis by the Legislative Reference Bureau

Under this bill, a local health officer's action related to infectious disease may not exceed 60 days. The governing body of the applicable local governmental unit, however, may terminate early or extend the action after the governing body's committee with jurisdiction over health has held a public hearing on the action. The bill requires a governing body that extends an action to set a reasonable termination date for the extended action. Currently, local health officers have the statutory authority to do what is reasonable and necessary for the prevention and suppression of disease and forbid public gatherings when necessary to control outbreaks or epidemics, among other public health powers. In addition, local health officers must take all measures necessary to prevent, suppress, and control communicable diseases and report those measures to the appropriate governing body along with the progress of the communicable disease.

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

3 **SECTION 1.** 252.03 (5) of the statutes is created to read:
4 252.03 (5) (a) In this subsection, "local governmental unit" means a city, village,
5 town, or county.

ASSEMBLY BILL 1075**SECTION 1**

1 (b) The duration of any action taken by a local health officer under this chapter
2 may not exceed 60 days, except that the governing body of the local governmental
3 unit in which the action is intended to apply, after conducting a public hearing before
4 the committee of the governing body with jurisdiction over health, may terminate
5 before or extend beyond 60 days the applicability of the action. If a governing body
6 of a local governmental unit extends an action under this paragraph, the governing
7 body shall set a reasonable termination date for the extended action.

8 (c) Nothing in this subsection shall be construed to confer any authority on a
9 local health officer to take certain actions.

10 (END)