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2001 ASSEMBLY BILL 887

March 4, 2002 – Introduced by Representatives Krug, Musser, Turner, Jeskewitz, Miller, Carpenter, J. Lehman and Berceau, cosponsored by Senator Burke. Referred to Committee on Campaigns and Elections.

AN ACT *to create* 66.0501 (5) of the statutes; **relating to:** the eligibility of employees of cities, villages, towns, and counties to be candidates for elective public office.

Analysis by the Legislative Reference Bureau

Under current law, no political subdivision (city, village, town, or county), other than a 1st class city (currently only Milwaukee) or a county with a population of 500,000 or more (currently only Milwaukee County), may prohibit a law enforcement officer who is employed by a political subdivision from being a candidate for elective public office, if he or she is otherwise qualified to be a candidate. Also under current law, no law enforcement officer may be required, as a condition of being a candidate for any elective public office, to take a leave of absence during his or her candidacy.

Under this bill, no political subdivision, including a 1st class city and a county with a population of 500,000 or more, may prohibit any other employee of a political subdivision from being a candidate for elective public office, if he or she is otherwise qualified to be a candidate. Also under the bill, no employee of a political subdivision may be required, as a condition of being a candidate for any elective public office, to take a leave of absence during his or her candidacy.

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 887

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1	SECTION 1. 66.0501 (5) of the statutes is created to read:
2	66.0501 (5) Employees may be candidates. (a) In this subsection:
3	1. "Political subdivision" means a city, village, town, or county.
4	2. "Public employee" means any individual employed by a political subdivision,
5	other than an individual to whom s. 164.06 applies.
6	(b) No political subdivision may prohibit a public employee from being a
7	candidate for any elective public office, if that individual is otherwise qualified to be
8	a candidate. No public employee may be required, as a condition of being a candidate
9	for any elective public office, to take a leave of absence during his or her candidacy.
10	This subsection does not affect the authority of a political subdivision to regulate the
11	conduct of a public employee while the public employee is on duty or otherwise acting
12	in an official capacity.

(END)