



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-5397/1  
KRP:kjf

## 2019 SENATE BILL 833

February 20, 2020 - Introduced by Senators JOHNSON, WIRCH, RINGHAND, LARSON and CARPENTER, cosponsored by Representatives SUBECK, ZAMARRIPA, STUBBS, SPREITZER, SINICKI, SHANKLAND, SARGENT, OHNSTAD, NEUBAUER, L. MYERS, GRUSZYNSKI, CONSIDINE, CABRERA, BROSTOFF, BILLINGS, ANDERSON and C. TAYLOR. Referred to Committee on Labor and Regulatory Reform.

1     **AN ACT** *to repeal* 103.10 (1m) (title), (a), (b) (intro.), 1., 2., 3., 4., 5. and 7., (c), (d)  
2             and (e); *to renumber* 103.10 (1m) (b) 6.; and *to amend* 103.10 (1) (b), 103.10  
3             (1) (c), 103.12 (3) (a), 103.12 (3) (b) and 165.68 (1) (a) 3. of the statutes; **relating**  
4             **to:** allowing the enactment of local family and medical leave ordinances.

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***Analysis by the Legislative Reference Bureau***

Current law prohibits a city, village, town, or county from enacting and administering an ordinance requiring an employer to provide an employee with leave from employment for certain family or medical reasons. This bill eliminates that prohibition.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

5             **SECTION 1.** 103.10 (1) (b) of the statutes is amended to read:  
6             103.10 (1) (b) Except as provided in ~~sub. (1m) (b) 2.~~ and s. 452.38, "employee"  
7             means an individual employed in this state by an employer, except the employer's  
8             parent, spouse, domestic partner, or child.

**SENATE BILL 833****SECTION 2**

1           **SECTION 2.** 103.10 (1) (c) of the statutes is amended to read:

2           103.10 (1) (c) ~~Except as provided in sub. (1m) (b) 3., “employer”~~ “Employer”  
3 means a person engaging in any activity, enterprise, or business in this state  
4 employing at least 50 individuals on a permanent basis. “Employer” includes the  
5 state and any office, department, independent agency, authority, institution,  
6 association, society, or other body in state government created or authorized to be  
7 created by the constitution or any law, including the legislature and the courts.

8           **SECTION 3.** 103.10 (1m) (title), (a), (b) (intro.), 1., 2., 3., 4., 5. and 7., (c), (d) and  
9 (e) of the statutes are repealed.

10          **SECTION 4.** 103.10 (1m) (b) 6. of the statutes is renumbered 165.68 (1) (h).

11          **SECTION 5.** 103.12 (3) (a) of the statutes is amended to read:

12          103.12 (3) (a) ~~Except as provided in ss. 103.10 (1m) (d) and s. 103.11 (2) (d), no~~  
13 city, village, town, or county may enact or enforce an ordinance requiring an  
14 employer to provide certain employment benefits to its employees, to provide a  
15 minimum level of employment benefits to its employees, or to prescribe the terms or  
16 conditions of employment benefits provided to its employees.

17          **SECTION 6.** 103.12 (3) (b) of the statutes is amended to read:

18          103.12 (3) (b) ~~Except as provided in ss. 103.10 (1m) (d) and s. 103.11 (2) (d), if~~  
19 a city, village, town, or county has in effect on April 18, 2018, an ordinance requiring  
20 an employer to provide certain employment benefits or to provide a minimum level  
21 of employment benefits to its employees, the ordinance does not apply and may not  
22 be enforced.

23          **SECTION 7.** 165.68 (1) (a) 3. of the statutes is amended to read:

24          165.68 (1) (a) 3. Sexual abuse, ~~as defined in s. 103.10 (1m) (b) 6.~~

25

(END)