

# State of Wisconsin



2017 Senate Bill 62

Date of enactment: **June 1, 2017**  
Date of publication\*: **June 2, 2017**

## 2017 WISCONSIN ACT 9

AN ACT to amend 66.0505 (3) (a) 2.; and to create 119.13, 120.07 and 120.45 of the statutes; relating to: authorizing a school board member to refuse his or her salary.

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

**SECTION 1.** 66.0505 (3) (a) 2. of the statutes is amended to read:

66.0505 (3) (a) 2. Except as provided in subd. 3., to be valid the notification must be sent no later than 30 days after an elective officer's election is certified the day on which the elective officer takes the oath of office and before he or she performs any services in his or her official capacity, and the notification applies only to the taxable year in which the officer's election is certified or in which the officer is appointed, if the elective officer's current taxable year ends within 3 months of his or her certification or appointment, the notification applies until the end of his or her next taxable year.

**SECTION 1n.** 119.13 of the statutes is created to read:

**119.13 Board members; refusal of salary.** (1) In this section, "board member" includes a member-elect.

(2) (a) 1. Notwithstanding the provisions of s. 119.12 (3), a board member may send written notification to the clerk and the city treasurer that the board member wishes to refuse to accept the salary that he or she is otherwise entitled to receive.

2. a. Except as provided in subd. 2. b., for the taxable year in which the board member's election is certified or the board member is appointed under s. 17.26, the board member shall send the notification no later than the day

on which the board member takes the official oath of office and before the board member performs any services in his or her capacity as a board member. The notification applies only to the taxable year in which the board member's election is certified.

b. If the board member's current taxable year ends within 3 months of the day on which the board member's election is certified, the notification applies until the end of his or her next taxable year.

3. Except as provided in subd. 2., a board member shall send the notification at least 30 days before the start of the board member's next taxable year and the notification applies only to that taxable year. A board member may renew his or her refusal by sending a notification annually as provided in this subdivision.

4. A board member may not rescind a notification sent under this paragraph.

(b) 1. If the clerk and city treasurer receive a notification under par. (a), the city treasurer may not pay the board member the salary that he or she is otherwise entitled to receive during the time period to which the notification applies, beginning with the first pay period that commences after the notification applies.

2. If a board member's notification no longer applies, the city treasurer shall pay the board member any salary that he or she is entitled to receive, beginning with the first pay period that commences after the expiration of the notification.

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

**SECTION 2.** 120.07 of the statutes is created to read:

**120.07 School board member; refusal of salary.**

(1) In this section:

(a) "Salary" means the annual salary for a school board member or the amount for each school board meeting the school board member actually attends.

(b) "School board member" includes a school board member-elect.

(2) (a) 1. Notwithstanding the provisions of s. 120.10 (3), a school board member may send written notification to the school district clerk and the school district treasurer that the school board member wishes to refuse to accept the salary that he or she is otherwise entitled to receive.

2. a. Except as provided in subd. 2. b., for the taxable year in which the school board member's election is certified or the board member is appointed under s. 17.26, the school board member shall send the notification no later than the day on which the board member takes the official oath of office and before the board member performs any services in his or her capacity as a board member. The notification applies only to the taxable year in which the school board member's election is certified.

b. If the school board member's current taxable year ends within 3 months of the day on which the board member's election is certified or the board member is appointed to the board, the notification applies until the end of his or her next taxable year.

3. Except as provided in subd. 2., a school board member shall send the notification at least 30 days before the start of the school board member's next taxable year and the notification applies only to that taxable year. A school board member may renew his or her refusal by sending a notification annually as provided in this subdivision.

4. A school board member may not rescind a notification sent under this paragraph.

(b) 1. If a school district clerk and school district treasurer receive a notification under par. (a), the school district treasurer may not pay the school board member the salary that he or she is otherwise entitled to receive during the time period to which the notification applies, beginning with the first pay period that commences after the notification applies.

2. If a school board member's notification no longer applies, the school district treasurer shall pay the school board member any salary that he or she is entitled to receive, beginning with the first pay period that commences after the expiration of the notification.

**SECTION 3.** 120.45 of the statutes is created to read:

**120.45 School board member; refusal of salary.**

(1) In this section:

(a) "Salary" means the annual salary for a school board member or the amount for each school board meeting the school board member actually attends.

(b) "School board member" includes a school board member-elect.

(2) (a) 1. Notwithstanding the provisions of s. 120.43 (3), a school board member may send written notification to the school district clerk and the school district treasurer that the school board member wishes to refuse to accept the salary that he or she is otherwise entitled to receive.

2. a. Except as provided in subd. 2. b., for the taxable year in which the school board member's election is certified or the board member is appointed under s. 17.26, the school board member shall send the notification no later than the day on which the board member takes the official oath of office and before the board member performs any services in his or her capacity as a board member. The notification applies only to the taxable year in which the school board member's election is certified.

b. If the school board member's current taxable year ends within 3 months of the day on which the board member's election is certified or the board member is appointed to the board, the notification applies until the end of his or her next taxable year.

3. Except as provided in subd. 2., a school board member shall send the notification at least 30 days before the start of the school board member's next taxable year and the notification applies only to that taxable year. A school board member may renew his or her refusal by sending a notification annually as provided in this subdivision.

4. A school board member may not rescind a notification sent under this paragraph.

(b) 1. If a school district clerk and school district treasurer receive a notification under par. (a), the school district treasurer may not pay the school board member the salary that he or she is otherwise entitled to receive during the time period to which the notification applies, beginning with the first pay period that commences after the notification applies.

2. If a school board member's notification no longer applies, the school district treasurer shall pay the school board member any salary that he or she is entitled to receive, beginning with the first pay period that commences after the expiration of the notification.