



State of Wisconsin
2023 - 2024 LEGISLATURE

LRBa0160/2
MIM/JK/KP/EVM:all

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 245**

May 17, 2023 - Offered by Representative KURTZ.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 13, line 14: after “with” insert “the legislature under s. 13.172 (2),”.

3 **2.** Page 14, line 3: delete lines 3 to 25 and substitute:

4 “**SECTION 7g.** 23.0917 (5t) of the statutes is renumbered 23.0917 (5t) (intro.)

5 and amended to read:

6 23.0917 (5t) LOCAL GOVERNMENTAL RESOLUTIONS. (intro.) Each city, village,
7 town, or county may adopt a nonbinding resolution that supports or opposes the
8 proposed acquisition of land to be funded by moneys obligated from the appropriation
9 under s. 20.866 (2) (ta) if all or a portion of the land is located in the city, village, town,
10 or county. The department shall provide written notification of the proposed
11 acquisition to each city, village, town, or county in which the land is located. A city,
12 village, town, or county that adopts a resolution under this subsection shall provide

1 the department with a copy of the resolution. If All of the following apply to a
2 resolution under this subsection:

3 (a) For the proposed acquisition of land located south of USH 8, if the
4 department receives the copy within 30 days after the date that the city, village,
5 town, or county received the notification of the proposed acquisition, the department
6 shall take the resolution into consideration before approving or denying the
7 obligation of moneys for the acquisition from the appropriation under s. 20.866 (2)
8 (ta).

9 **SECTION 7s.** 23.0917 (5t) (b) of the statutes is created to read:

10 23.0917 (5t) (b) For the proposed acquisition of land located north of USH 8,
11 the department may not approve the obligation of moneys for the acquisition from
12 the appropriation under s. 20.866 (2) (ta) and may not notify the joint committee on
13 finance of the proposal, if required under sub. (6m), unless every city, village, town,
14 or county in which the land is located adopts a resolution under this subsection
15 approving the acquisition by a simple majority vote of the governing body.”

16 **3.** Page 16, line 12: after that line insert:

17 “(12) There is established in the local government fund a separate account that
18 is designated the “community youth and family aids account” for the improvement
19 and provision of community-based juvenile delinquency-related services under s.
20 48.526 and juvenile correctional services under s. 301.26 and for reimbursement to
21 counties having a population of less than 750,000 for the cost of court attached intake
22 services as provided in s. 938.06 (4).”

23 **4.** Page 17, line 15: after that line insert:

1 **“SECTION 15f.** 40.02 (48) (b) 5. of the statutes, as created by 2023 Wisconsin Act
2 4, is amended to read:

3 40.02 **(48)** (b) 5. A “county jailer” is an employee of a county whose principal
4 duties involve supervising, controlling, or maintaining a jail or house of correction
5 or the persons confined in a jail, as assigned by the sheriff under s. 59.27 (1), or the
6 persons confined in a house of correction, as assigned by a county board of
7 supervisors under s. 303.17, regardless of whether the employee has been sworn
8 regarding his or her duties or whether the employee serves on a full-time basis,
9 provided the department receives notification of the participant’s name as provided
10 in s. 40.06 (1) (d) and (dm). Notwithstanding par. (a), an employer may classify an
11 employee who is a county jailer as a protective occupation participant under par. (am)
12 23. without making a determination that the principal duties of the employee involve
13 active law enforcement or active fire suppression or prevention. A determination
14 under this subdivision may not be appealed under s. 40.06 (1) (e) or (em). A county
15 jailer is not a protective occupation participant if he or she so elects with the employer
16 under s. 59.52 (8m) or 2023 Wisconsin Act 4.

17 **SECTION 15m.** 40.21 (7) (b) of the statutes is amended to read:

18 40.21 **(7)** (b) Any municipal employer, other than a 1st class city or county with
19 a population of at least 750,000, that elects to be included within the provisions of
20 the Wisconsin Retirement System under sub. (1) on or after March 2, 2016, may
21 choose not to include any of its public utility employees.”.

22 **5.** Page 17, line 18: delete “~~ADVISORY AND CONTINGENT~~ CONTINGENT” and
23 substitute “ADVISORY AND CONTINGENT”.

1 **6.** Page 17, line 21: after “referendum.” insert “The board may not conduct a
2 referendum for advisory purposes, except for an advisory referendum regarding
3 capital expenditures proposed to be funded by the county property tax levy.”.

4 **7.** Page 17, line 22: delete that line and substitute:

5 “**SECTION 18m.** 59.605 (3) (c) of the statutes is amended to read:

6 59.605 (3) (c) 1. If a county transfers to another governmental unit
7 responsibility for providing any service that the county provided in the preceding
8 year, the levy rate limit otherwise applicable under this section to the county in the
9 current year is decreased to reflect the cost that the county would have incurred to
10 provide that service, as determined by the department of revenue. The levy rate limit
11 adjustment under this subdivision applies only if the county and transferee
12 governmental unit file a notice of service transfer with the department of revenue.

13 2. If a county increases the services that it provides by adding responsibility
14 for providing a service transferred to it from another governmental unit in any year,
15 the levy rate limit otherwise applicable under this section to the county in the current
16 year is increased to reflect the cost of that service, as determined by the department
17 of revenue. The levy rate limit adjustment under this subdivision applies only if the
18 county and transferor governmental unit file a notice of service transfer with the
19 department of revenue.”.

20 **8.** Page 18, line 2: after “required” insert “normal cost”.

21 **9.** Page 18, line 16: after “using” insert “not more than”.

22 **10.** Page 18, line 19: after “System” insert “for participating employees, as
23 defined in s. 40.02 (46)”.

1 **11.** Page 18, line 24: after “board.” insert “No trustee or administrator of a
2 retirement system of any retirement system established under chapter 201, laws of
3 1937, shall be subject to liability for complying with this subsection.”.

4 **12.** Page 19, line 18: after “expenditures.” insert “This subsection does not
5 apply if the county is not imposing a tax under s. 77.70 (2) (a).”.

6 **13.** Page 19, line 21: after “board.” insert “This subsection does not apply if the
7 county is not imposing a tax under s. 77.70 (2) (a).”.

8 **14.** Page 24, line 6: after “submitted” insert “under sub. (1j)”.

9 **15.** Page 24, line 8: after “submitted” insert “under sub. (1j)”.

10 **16.** Page 24, line 9: delete the material beginning with “Individuals” and
11 ending with “respectively” on line 15 and substitute “For an appointment that is
12 required to be selected from a list under this subsection, the mayor shall make the
13 appointment within 45 days after receiving a list under sub. (1j).”.

14 **17.** Page 25, line 11: after “city.” insert “A member of the board may not
15 continue in office after the expiration of his or her term unless the member is
16 reappointed to the board and confirmed by the common council.”.

17 **18.** Page 25, line 18: after that line insert:

18 “**SECTION 37m.** 62.50 (1j) of the statutes is created to read:

19 **62.50 (1j) SELECTION OF CERTAIN BOARD MEMBERS.** Lists of individuals submitted
20 under sub. (1h) by the employee association that represents nonsupervisory law
21 enforcement officers and the employee association that represents fire fighters for
22 selection shall each contain 3 names. Individuals included in a list under this
23 subsection by an employee association that represents nonsupervisory law

1 enforcement officers or fire fighters shall have professional law enforcement
2 experience or professional fire fighting experience, respectively, and shall be at least
3 5 years removed from service as a professional law enforcement officer or fire fighter,
4 respectively. Individuals included in a list under this subsection shall be residents
5 of the 1st class city and may not be currently employed by the 1st class city. A list
6 under this subsection shall be provided not more than 3 months after the occurrence
7 of a vacancy in a position to be filled by selection from a list under this subsection.”.

8 **19.** Page 27, line 8: after “using” insert “not more than”.

9 **20.** Page 27, line 10: after “System” insert “for participating employees, as
10 defined in s. 40.02 (46)”.

11 **21.** Page 27, line 15: after “city.” insert “No trustee or administrator of a
12 retirement system of a 1st class city shall be subject to liability for complying with
13 this section.”.

14 **22.** Page 28, line 10: after “expenditures.” insert “This subsection does not
15 apply if the city is not imposing a tax under s. 77.701 (1).”.

16 **23.** Page 28, line 13: after “council.” insert “This subsection does not apply if
17 the city is not imposing a tax under s. 77.701 (1).”.

18 **24.** Page 29, line 2: after “s. 213.10 (1g)” insert “, not including law
19 enforcement officers or fire fighters whose positions are funded by grants received
20 from the state or federal government. The 1st class city may use any reasonable
21 method of estimating the number of full-time equivalent law enforcement officers
22 employed by the 1st class city and the daily staffing level of the paid fire department
23 for the year, but may consider only positions that are actually filled”.

24 **25.** Page 29, line 5: after “increase” insert “or maintain”.

1 **26.** Page 29, line 22: after “needed.” insert “In addition, beginning January
2 1, 2024, the school board of the 1st class city school district that is located in the 1st
3 class city shall ensure that the school resource officers complete the 40-hour course
4 sponsored by the National Association of School Resource Officers.”.

5 **27.** Page 30, line 13: after “purposes” insert “, except for an advisory
6 referendum regarding capital expenditures proposed to be funded by the property
7 tax levy of the city, village, or town”.

8 **28.** Page 32, line 14: after that line insert:

9 “(am) “Conditional use permit” means a form of approval, including a special
10 exception or other special zoning permission, granted by a political subdivision
11 pursuant to a zoning ordinance for the operation of a quarry.”.

12 **29.** Page 33, line 11: delete lines 11 to 13 and substitute:

13 “(2m) EFFECTIVE DATES OF CERTAIN ORDINANCES. For purposes of sub. (3) (a) 3.,
14 the date on which a town or county enacts a zoning ordinance that requires a
15 conditional use permit for a quarry operator to conduct quarry operations is the date
16 the ordinance becomes effective, except as follows:

17 (a) If a town that previously did not have a general zoning ordinance enacts a
18 general zoning ordinance requiring a conditional use permit to conduct quarry
19 operations and the town ceases to be covered by a county general zoning ordinance
20 that required a conditional use permit to conduct quarry operations, a conditional
21 use permit for a quarry in effect at the time of the transition from county zoning to
22 town zoning shall continue in effect and the conditional use permit shall be treated
23 as if it was originally issued by the town. For purposes of a conditional use permit
24 subject to this paragraph, the date of the adoption of the town ordinance shall be

1 deemed to be the date the conditional use permit was issued by the county but only
2 with respect to requirements that were included in the county ordinance on the date
3 the conditional use permit was issued and that were adopted in the town ordinance.

4 (b) If a town that has a general zoning ordinance requiring a conditional use
5 permit to conduct quarry operations repeals its zoning ordinance and becomes
6 subject to a county general zoning ordinance under s. 59.69 (5) (c) and the county
7 zoning ordinance requires a conditional use permit to conduct quarry operations, a
8 conditional use permit for a quarry in effect at the time of the transition from town
9 zoning to county zoning shall continue in effect and the conditional use permit shall
10 be treated as if it was originally issued by the county. For purposes of a conditional
11 use permit subject to this paragraph, the date of the adoption of the county ordinance
12 shall be deemed to be the date the conditional use permit was issued by the town but
13 only with respect to requirements that were included in the town ordinance on the
14 date the conditional use permit was issued and that were adopted in the county
15 ordinance.”.

16 **30.** Page 33, line 21: delete “zoning” and substitute “conditional use”.

17 **31.** Page 33, line 24: delete “zoning” and substitute “conditional use”.

18 **32.** Page 34, line 6: delete “zoning” and substitute “conditional use”.

19 **33.** Page 37, line 4: after that line insert:

20 “**SECTION 52g.** 66.0602 (1) (cm) of the statutes is created to read:

21 66.0602 (1) (cm) “Tax incremental base” has the meaning given in s. 66.1105

22 (2) (j).

23 **SECTION 52m.** 66.0602 (1) (d) of the statutes is amended to read:

1 66.0602 (1) (d) “Valuation factor” means a percentage equal to the greater of
2 either the percentage change in the political subdivision’s January 1 equalized value
3 due to new construction less improvements removed between the previous year and
4 the current or zero 0 percent. For a tax incremental district created after December
5 31, 2024, the valuation factor includes 90 percent of the equalized value increase due
6 to new construction that is located in a tax incremental district, but does not include
7 any improvements removed in a tax incremental district.

8 **SECTION 52s.** 66.0602 (1) (e) of the statutes is created to read:

9 66.0602 (1) (e) “Value increment” has the meaning given in s. 66.1105 (2) (m).”.

10 **34.** Page 37, line 5: delete that line and substitute:

11 **“SECTION 53g.** 66.0602 (3) (a) of the statutes is amended to read:

12 66.0602 (3) (a) If a political subdivision transfers to another governmental unit
13 responsibility for providing any service that the political subdivision provided in the
14 preceding year, the levy increase limit otherwise applicable under this section to the
15 political subdivision in the current year is decreased to reflect the cost that the
16 political subdivision would have incurred to provide that service, as determined by
17 the department of revenue. The levy increase limit adjustment under this paragraph
18 applies only if the transferor and transferee file a notice of service transfer with the
19 department of revenue.

20 **SECTION 53s.** 66.0602 (3) (b) of the statutes is amended to read:

21 66.0602 (3) (b) If a political subdivision increases the services that it provides
22 by adding responsibility for providing a service transferred to it from another
23 governmental unit that provided the service in the preceding year, the levy increase
24 limit otherwise applicable under this section to the political subdivision in the

1 current year is increased to reflect the cost of that service, as determined by the
2 department of revenue. The levy increase limit adjustment under this paragraph
3 applies only if the transferor and transferee file a notice of service transfer with the
4 department of revenue.”.

5 **35.** Page 37, line 5: after that line insert:

6 “**SECTION 53d.** 66.0602 (3) (dm) of the statutes is amended to read:

7 66.0602 (3) (dm) If For a tax incremental district created before January 1,
8 2025, if the department of revenue does not certify a value increment for a tax
9 incremental district for the current year as a result of the district’s termination, the
10 levy increase limit otherwise applicable under this section in the current year to the
11 political subdivision in which the district is located is increased by an amount equal
12 to the political subdivision’s maximum allowable levy for the immediately preceding
13 year, multiplied by a percentage equal to 50 percent of the amount determined by
14 dividing the value increment of the terminated tax incremental district, calculated
15 for the previous year, by the political subdivision’s equalized value, exclusive of any
16 tax incremental district value increments, for the previous year, all as determined
17 by the department of revenue.

18 **SECTION 53h.** 66.0602 (3) (dq) of the statutes is created to read:

19 66.0602 (3) (dq) 1. For a tax incremental district created after December 31,
20 2024, if the department of revenue does not certify a value increment for the tax
21 incremental district for the current year as a result of the district’s termination, the
22 levy increase limit otherwise applicable under this section in the current year to the
23 political subdivision in which the district is located is increased by all of the following
24 amounts:

1 a. An amount equal to the political subdivision's maximum allowable levy for
2 the immediately preceding year, multiplied by the amount determined by dividing
3 10 percent of the equalized value increase of the terminated tax incremental district,
4 calculated as provided in subd. 2., by the political subdivision's equalized value, less
5 any tax incremental district value increments, for the previous year, all as
6 determined by the department of revenue.

7 b. If the life span of the tax incremental district was 75 percent or less of the
8 length of the expected life span of the tax incremental district, measured as the
9 period between the year the tax incremental district was created and the expected
10 year of termination, as designated under s. 66.1105 (4m) (b) 2m, an additional
11 amount equal to the political subdivision's maximum allowable levy for the
12 immediately preceding year, multiplied by the amount determined by dividing 15
13 percent of the equalized value increase of the terminated tax incremental district,
14 calculated as provided in subd. 2., by the political subdivision's equalized value, less
15 any tax incremental district value increments, for the previous year, all as
16 determined by the department of revenue.

17 2. The equalized value increase under subd. 1. and par. (dv) is calculated by
18 adding the annual amounts reported under s. 66.1105 (6m) (c) 8. of the value of new
19 construction in the district for each year that the district is active.

20 **SECTION 53p.** 66.0602 (3) (ds) of the statutes is amended to read:

21 66.0602 (3) (ds) If For a tax incremental district created before January 1, 2025,
22 if the department of revenue recertifies the tax incremental base of a tax incremental
23 district as a result of the district's subtraction of territory under s. 66.1105 (4) (h) 2.,
24 the levy limit otherwise applicable under this section shall be adjusted in the first
25 levy year in which the subtracted territory is not part of the value increment. In that

1 year, the political subdivision in which the district is located shall increase the levy
2 limit otherwise applicable by an amount equal to the political subdivision's
3 maximum allowable levy for the immediately preceding year, multiplied by a
4 percentage equal to 50 percent of the amount determined by dividing the value
5 increment of the tax incremental district's territory that was subtracted, calculated
6 for the previous year, by the political subdivision's equalized value, exclusive of any
7 tax incremental district value increments, for the previous year, all as determined
8 by the department of revenue.

9 **SECTION 53t.** 66.0602 (3) (dv) of the statutes is created to read:

10 66.0602 (3) (dv) For a tax incremental district created after December 31, 2024,
11 if the department of revenue recertifies the tax incremental base of a tax incremental
12 district as a result of the district's subtraction of territory under s. 66.1105 (4) (h) 2.,
13 the levy limit otherwise applicable under this section shall be adjusted in the first
14 levy year in which the subtracted territory is not part of the value increment. In that
15 year, the political subdivision in which the district is located shall increase the levy
16 limit otherwise applicable by an amount equal to the political subdivision's
17 maximum allowable levy for the immediately preceding year, multiplied by a
18 percentage equal to 10 percent of the amount determined by dividing the equalized
19 value increase, calculated as provided in par. (dq) 2., attributable to the territory that
20 was subtracted, calculated for the previous year, by the political subdivision's
21 equalized value, exclusive of any tax incremental district value increments, for the
22 previous year, all as determined by the department of revenue.”.

23 **36.** Page 39, line 3: delete “2”.

24 **37.** Page 39, line 4: delete “have” and substitute “has”.

1 **38.** Page 39, line 5: delete lines 5 to 13 and substitute:

2 “a. Moneys raised by tax levy by the city, village, or town and expended for
3 employment costs of law enforcement officers, as defined in s. 165.85 (2) (c).

4 b. The percentage of the total moneys raised by tax levy by the city, village, or
5 town that is expended for employment costs of law enforcement officers, as defined
6 in s. 165.85 (2) (c).

7 c. The number of full-time equivalent law enforcement officers, as defined in
8 s. 165.85 (2) (c), employed by or assigned to the city, village, or town, not including
9 officers whose positions are funded by grants received from the state or federal
10 government. The person in charge of providing law enforcement service for the city,
11 village, or town may use any reasonable method of estimating the average number
12 of full-time equivalent law enforcement officers employed by or assigned to the city,
13 village, or town for the year, but may consider only positions that are actually filled.”.

14 **39.** Page 39, line 16: after “capital expenditures” insert “or expenditures of
15 grant moneys received from the state or federal government”.

16 **40.** Page 39, line 19: after “subdivision” insert “, not including fire fighters and
17 emergency medical services personnel whose positions are funded by grants received
18 from the state or federal government. For volunteer fire and emergency medical
19 services, those volunteer fire fighters and emergency medical services personnel who
20 responded to at least 40 percent of calls to which volunteer fire protective or
21 emergency medical services responded may be counted as full-time equivalent
22 volunteer fire fighters and emergency medical services personnel under this subd.

23 2. b. The person in charge of providing fire protective and emergency medical
24 services for the political subdivision may use any reasonable method of estimating

1 the average number of full-time equivalent fire fighters and emergency medical
2 services personnel employed by or assigned to the political subdivision for the year,
3 but may consider only positions that are actually filled.”.

4 **41.** Page 40, line 1: delete “If” and substitute “Except for a political
5 subdivision that made a certification under subds. 2. to 4., if”.

6 **42.** Page 40, line 8: delete lines 8 to 18 and substitute:

7 “2. A political subdivision that has consolidated its law enforcement services
8 or fire protective or emergency medical services with another political subdivision
9 or entered into a contract with a private entity to provide fire protective or emergency
10 medical services may provide a certified statement to that effect in lieu of
11 certification under par. (b) 1. or 2. This subdivision applies only to the year following
12 consolidation or entry into a contract.”.

13 **43.** Page 40, line 19: after “has” insert “newly”.

14 **44.** Page 40, line 20: delete “and” and substitute “or”.

15 **45.** Page 40, line 20: delete “within”.

16 **46.** Page 40, line 21: delete “the previous 2 years”.

17 **47.** Page 40, line 22: after “2.” insert “This subdivision applies only to the year
18 following establishment of the agency.”.

19 **48.** Page 40, line 23: before “town” insert “city, village, or”.

20 **49.** Page 40, line 24: before “town” insert “city, village, or”.

21 **50.** Page 42, line 9: after that line insert:

22 “SECTION 65m. 66.1105 (4m) (b) 2m. of the statutes is created to read:

1 66.1105 (4m) (b) 2m. For a tax incremental district created after December 31,
2 2024, at the time of approval under subd. 2., the board shall establish the year of
3 expected termination of the tax incremental district.”.

4 **51.** Page 42, line 17: after that line insert:

5 “SECTION 66m. 66.1105 (6m) (c) 8. of the statutes is amended to read:

6 66.1105 (6m) (c) 8. The value of new construction in the tax incremental
7 district, ~~less~~ and the value of improvements removed from the tax incremental
8 district.”.

9 **52.** Page 84, line 19: delete the material beginning with “department” and
10 ending with “70.995,” on line 20 and substitute “department, using the valuation
11 methods that it uses to assess property under s. 70.995 prescribed in s. 70.32 (1) and
12 s. 70.34, 2021 stats.”.

13 **53.** Page 90, line 19: before “After” insert “In addition, if the 1st class city has
14 enacted an ordinance regarding the city’s retirement system that requires an
15 actuary to periodically reset the actuarial contribution rate, the 1st class city may
16 not impose a tax under this section unless the city repeals the ordinance.”.

17 **54.** Page 91, line 12: after “its” insert “sewerage district created under s.
18 200.23,”.

19 **55.** Page 91, line 25: delete “previous” and substitute “first full calendar”.

20 **56.** Page 107, line 5: after “public works,” insert “courts,”.

21 **57.** Page 107, line 9: delete “the sum of the following:” and substitute “10
22 percent of the amount received by the county in 2022 under s. 79.035 or the sum of
23 the following, whichever is greater:”.

1 **58.** Page 107, line 12: delete lines 12 to 14 and substitute:

2 “a. Determine the county’s levy limit under s. 66.0602 as if the valuation factor
3 was 2 percent in 2021.

4 b. Subtract from the amount determined under subd. 2. a. the county’s base
5 levy in 2021 adjusted only as described in s. 66.0602 (2) (b).”.

6 **59.** Page 107, line 16: delete “2024” and substitute “2022 under s. 79.035”.

7 **60.** Page 108, line 3: after that line insert:

8 “(ag) In addition to the payment under par. (a), each county for which the
9 quotient of the total amount received in 2024 under par. (a) and s. 79.036 divided by
10 the county’s population in 2022 is less than 10 shall receive an amount calculated as
11 follows:

12 1. Multiply the county’s population in 2022 by 10.

13 2. Subtract the total amount received by the county in 2024 under pars. (a) and
14 s. 79.036 from the amount determined under subd. 1.

15 (ar) In addition to the payment under par. (a), each county for which the
16 quotient of the amount received in 2024 under par. (a) divided by the amount
17 received in 2024 under s. 79.036 is less than 5 shall receive an amount calculated as
18 follows:

19 1. Divide the amount received by the county in 2024 under s. 79.036 by the
20 amount received in 2024 under par. (a).

21 2. Divide the amount determined under subd. 1. by 169.943.

22 3. Multiply the amount determined under subd. 2. by \$17,490,600.”.

23 **61.** Page 108, line 4: after “population” insert “in 2022”.

24 **62.** Page 108, line 5: delete “10” and substitute “15”.

- 1 **63.** Page 108, line 8: delete that line and substitute:
2 “2. Subtract the amount determined under subd. 1. from 16.813.”
- 3 **64.** Page 108, line 14: delete “Ten” and substitute “Fifteen”.
- 4 **65.** Page 108, line 17: delete that line and substitute:
5 “b. Subtract the amount determined under subd. 1. a. from 14.5.”
- 6 **66.** Page 109, line 1: after “30,000” insert “and less than 110,000,”.
- 7 **67.** Page 109, line 2: delete “10” and substitute “15”.
- 8 **68.** Page 109, line 6: delete that line and substitute:
9 “2. Subtract the amount determined under subd. 1. from 14.5.”
- 10 **69.** Page 109, line 9: after that line insert:
11 “(e) In addition to the payment under par. (d), each city, village, and town with
12 a population in 2022 of at least 30,000 and not more than 50,000 shall receive an
13 amount calculated as follows:
14 1. Divide the population of the city, village, or town in 2022 by the sum of the
15 population in 2022 of all cities, villages, and towns with a population in 2022 of at
16 least 30,000 and not more than 50,000.
17 2. Multiply the amount determined under subd. 1. by \$5,000,000.
- 18 (f) Each city, village, and town with a population in 2022 of 110,000 or more
19 shall receive an amount equal to 10 percent of the amount received by the city,
20 village, or town in 2024 under s. 79.036 or the amount calculated as follows,
21 whichever is greater:
22 1. Multiply the population of the city, village, or town in 2022 by 0.00001659.
23 2. Subtract the amount determined under subd. 1. from 14.5.

1 3. Multiply the population of the city, village, or town in 2022 by the amount
2 determined under subd. 2.

3 4. Add the amount determined under subd. 3. to 25,700.”.

4 **70.** Page 110, line 10: after that line insert:

5 “am. The agreement or contract is entered into no earlier than the date
6 identified in the notice under 2023 Wisconsin Act ... (this act), section 244 (1).”.

7 **71.** Page 116, line 10: after “1m.,” insert “revenues generated from a tax
8 imposed under s. 77.701.”.

9 **72.** Page 116, line 22: after “1m.,” insert “revenues generated from a tax
10 imposed under s. 77.701.”.

11 **73.** Page 117, line 10: after that line insert:

12 “**SECTION 217m.** 79.05 (4) of the statutes is created to read:

13 79.05 (4) Notwithstanding subs. (2) and (3), in 2025, each municipality shall
14 receive a payment under this section that is equal to the amount of the payment
15 received by the municipality under this section in 2024.”.

16 **74.** Page 119, line 11: after that line insert:

17 “**SECTION 219n.** 111.70 (4) (mc) 7. of the statutes is created to read:

18 111.70 (4) (mc) 7. In any municipality with a retirement system established
19 under chapter 201 or 396, laws of 1937, any terms of such a retirement system,
20 including, but not limited to, the costs, payments, contributions, benefits, or design,
21 including all impacts or effects that any changes made to the retirement system
22 might have upon the wages, hours, or conditions of employment, with any bargaining
23 unit composed of public safety employees or any employees treated as public safety
24 employees under par. (bn).”.

1 **75.** Page 120, line 21: delete lines 21 and 22 and substitute:

2 “1. The incident occurred during one of the following:

3 a. School hours.

4 b. A school-sanctioned event that occurred before or after school hours.

5 c. The transportation of pupils to or from school.”

6 **76.** Page 123, line 4: delete “14” and substitute “30”.

7 **77.** Page 123, line 5: delete that line and substitute “intended to apply
8 approves one extension of the order, not to”.

9 **78.** Page 123, line 6: delete “14” and substitute “30”.

10 **79.** Page 123, line 6: after “days.” insert “A mandate to close more than one
11 business as provided under this subsection may not distinguish between essential
12 and nonessential businesses.”.

13 **80.** Page 126, line 20: delete the material beginning with “was never” and
14 ending with “statutes” on page 127, line 7, and substitute “was not an active employe
15 of the county on December 31 of the year that an ordinance goes into effect under s.
16 77.70 (2) (a) of the statutes and is hired by the county after December 31 of the year
17 that an ordinance goes into effect under s. 77.70 (2) (a) of the statutes with respect
18 to the position to which the person is hired after that date, irrespective of whether
19 the person was previously an employe of the county. Such a person may not accrue
20 any further service under the retirement system of the county”.

21 **81.** Page 128, line 18: delete the material beginning with “make” and ending
22 with “system.” on line 19 and substitute “, except as required for compliance with

1 federal law, increase or in any way enhance the benefits for employees who remain
2 in the retirement system.”.

3 **82.** Page 129, line 8: delete the material beginning with “who” and ending
4 with “statutes” on line 12 and substitute “and who are hired by the city or city agency
5 after December 31 of the year that an ordinance goes into effect under s. 77.701 (1)
6 of the statutes, were not active employes of the city or a city agency on that date, with
7 respect to the position to which the person is hired after that date, irrespective of
8 whether the person was previously an employe of the city or a city agency. Such a
9 person may not accrue any further service under the retirement system of the city”.

10 **83.** Page 130, line 6: delete the material beginning with “make” and ending
11 with “system.” on line 7 and substitute “, except as required for compliance with
12 federal law, increase or in any way enhance the benefits for employees who remain
13 in the retirement system.”.

14 **84.** Page 131, line 3: before “59.875” insert “13.94 (1) (w) and (1s) (c) 1s., 40.02
15 (48) (b) 5., 40.21 (7) (b),”.

16 **85.** Page 131, line 15: before “59.875 (2)” insert “13.94 (1) (w) and (1s) (c) 1s.,
17 40.02 (48) (b) 5., 40.21 (7) (b),”.

18 **86.** Page 131, line 17: after that line insert:

19 “(5f) RETIREMENT SYSTEM CLOSURE TO NEW EMPLOYEES. No provision of this act
20 may be construed or interpreted as effecting a partial termination of any plan created
21 under laws of 1937, chapter 201 or 396.

22 (5m) COUNTY JAILERS. In a county with a population of at least 750,000 that
23 elects to become a participating employer after December 31, 2023, for the purposes

1 of 2023 Wisconsin Act 4, the county shall be treated as a county that did not classify
2 county jailers as protective occupation participants as of January 1, 2024.”.

3 **87.** Page 131, line 23: after “s. 213.10 (1g)” insert “, not including law
4 enforcement officers or fire fighters whose positions are funded by grants received
5 from the state or federal government. The 1st class city may use any reasonable
6 method of estimating the number of full-time equivalent law enforcement officers
7 employed by the 1st class city and the daily staffing level of the paid fire department
8 for the year, but may consider only positions that are actually filled”.

9 **88.** Page 132, line 19: delete “79.096 (1) (b) and (2) (a) 2., (c), and (d),” and
10 substitute “79.0965.”.

11 **89.** Page 133, line 3: after that line insert:

12 “(4f) FIRE AND POLICE COMMISSION. The treatment of s. 62.50 (1h) and (1j) first
13 applies to a vacancy on the board of fire and police commissioners that occurs on the
14 effective date of this subsection, except that if the board has a member with
15 professional law enforcement experience and a member with professional fire
16 fighting experience, the treatment of s. 62.50 (1h) and (1j) first applies to the
17 vacancies created by the expiration of the terms of those members or a vacancy
18 created by the death, resignation, or removal of those members.”.

19 **90.** Page 133, line 6: after “(1s) (c) 1s.,” insert “40.02 (48) (b) 5., 40.21 (7) (b),”.

20 (END)