



**ASSEMBLY AMENDMENT 1,
TO SENATE BILL 50**

April 13, 2021 - Offered by Representatives ANDERSON, S. RODRIGUEZ, ANDRACA, BALDEH, BILLINGS, BOWEN, BROSTOFF, CABRERA, CONLEY, CONSIDINE, DOYLE, DRAKE, EMERSON, GOYKE, HAYWOOD, HEBL, HESSELBEIN, HINTZ, HONG, MCGUIRE, B. MEYERS, MILROY, MOORE OMOKUNDE, L. MYERS, NEUBAUER, OHNSTAD, ORTIZ-VELEZ, POPE, RIEMER, SHANKLAND, SHELTON, SINICKI, SNODGRASS, SPREITZER, STUBBS, SUBECK, VINING and VRUWINK.

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

2 **1.** Page 1, line 2: delete “and granting rule-making authority” and substitute
3 “, requiring face coverings in certain situations, granting rule-making authority,
4 and providing a penalty”.

5 **2.** Page 2, line 6: after that line insert:

6 **“SECTION 2m. Nonstatutory provisions.**

7 (1) REQUIRED FACE COVERINGS IN CERTAIN SITUATIONS.

8 (a) *Definitions.* In this subsection:

9 1. “Enclosed space” means a confined space open to the public where
10 individuals congregate, including outdoor bars, outdoor restaurants, taxis, public
11 transit, ride-share vehicles, and outdoor park structures.

12 2. “Face covering” means a piece of cloth or other material that is worn to cover
13 the nose and mouth completely. “Face covering” includes a bandana, a cloth face

1 mask, a disposable or paper mask, a neck gaiter, or a religious face covering. “Face
2 covering” does not include face shields, mesh masks, masks with holes or openings,
3 or masks with vents.

4 3. “Physical distancing” means maintaining at least 6 feet of distance from
5 individuals who are not members of an individual’s household or living unit.

6 (b) *Face covering required.* Every individual age 5 and older in this state shall
7 wear a face covering if both of the following apply:

8 1. The individual is indoors or in an enclosed space, other than at a private
9 residence.

10 2. Another person or persons who are not members of the individual’s
11 household or living unit are present in the same room or enclosed space.

12 (c) *Exceptions.*

13 1. An individual who is otherwise required to wear a face covering may remove
14 the face covering in any of the following situations:

15 a. While eating or drinking.

16 b. When communicating with an individual who is deaf or hard of hearing and
17 communication cannot be achieved through other means.

18 c. While obtaining a service that requires the temporary removal of the face
19 covering, such as dental services.

20 d. While sleeping.

21 e. While swimming or on duty as a lifeguard.

22 f. While a single individual is giving a religious, political, media, educational,
23 artistic, cultural, musical, or theatrical presentation for an audience, the individual
24 may remove the face covering when actively speaking. While the face covering is

1 removed, the individual must remain at least 6 feet away from all other individuals
2 at all times.

3 g. When engaging in work where wearing a face covering would create a risk
4 to the individual, as determined by government safety guidelines.

5 h. When necessary to confirm the individual's identity, including when
6 entering a bank, credit union, or other financial institution.

7 i. When federal or state law or regulations prohibit wearing a face covering.

8 2. In accordance with guidelines published by the federal centers for disease
9 control and prevention, all of the following individuals are exempt from the face
10 covering requirement in par. (b):

11 a. Children under the age of 5. Children between the ages of 2 and 5 are
12 encouraged to wear a mask when physical distancing is not possible. The federal
13 centers for disease control and prevention does not recommend masks for children
14 under the age of 2.

15 b. Individuals who have trouble breathing.

16 c. Individuals who are unconscious, incapacitated, or otherwise unable to
17 remove the face covering without assistance.

18 d. Individuals with medical conditions, intellectual or developmental
19 disabilities, mental health conditions, or other sensory sensitivities that prevent the
20 individual from wearing a face covering.

21 e. Incarcerated individuals. The department of corrections shall continue to
22 comply with COVID-19 protocols to ensure the health and safety of its staff and
23 individuals in its care. Local governments are strongly encouraged to continue or
24 create COVID-19 protocols to ensure the health and safety of their staff and
25 individuals in their care.

1 (d) *Legislature and judiciary.* State facilities or offices under the control of the
2 legislature or the supreme court are exempt from this subsection.

3 (e) *Preservation of medical supplies.* To conserve limited supplies of N95 masks
4 and other medical-grade supplies, individuals are discouraged from using such
5 supplies as face coverings.

6 (f) *Local orders.* Local governments may issue orders that are more restrictive
7 than this subsection.

8 (g) *Enforcement.* This subsection is enforceable by civil forfeiture of not more
9 than \$200.

10 (h) *Duration.* This subsection shall remain in effect until the conclusion of a
11 national emergency declared by the U.S. president under 50 USC 1621 in response
12 to the 2019 novel coronavirus.”

13 (END)