



State of Wisconsin  
2025 - 2026 LEGISLATURE

LRB-0878/P2  
MJW&MIM:cdc

DOA:.....Schmidt, BB0059 - Supreme Court Marshal Office

**FOR 2025-2027 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**COURTS AND PROCEDURE**

**GENERAL COURTS AND PROCEDURE**

This bill creates the Office of the Marshals of the Supreme Court, to consist of one chief marshal of the Supreme Court, one deputy chief marshal of the Supreme Court, deputy marshals of the Supreme Court, and administrative personnel. The bill provides that that the Office of the Marshals of the Supreme Court is a law enforcement agency and that the marshals of the Supreme Court are law enforcement officers who are employed for the purpose of detecting and preventing crime and enforcing laws or ordinances and are authorized to make arrests for violations of the laws or ordinances. The bill requires the marshals of the Supreme Court to meet the requirements established by the Law Enforcement Standards Board for officer certification, police pursuit, recruitment, and firearms training and to comply with any other statutory requirements applicable to a law enforcement agency.

The bill also provides that marshals of the Supreme Court are protective occupation participants in the Wisconsin Retirement System. Current law specifically classifies police officers, fire fighters, and various other individuals as protective occupation participants. Under the WRS, the normal retirement age of a protective occupation participant is lower than that of other participants and the percentage multiplier used to calculate retirement annuities is higher for protective occupation participants than for other participants.

The bill further provides that the Office of the Marshals of the Supreme Court may provide police services to the state court system, with statewide jurisdiction; provide protective services for the Supreme Court justices and their offices; provide security assessments for the justices, judges, and facilities of the state court system; and provide safety and security support services and advanced security planning services for circuit court proceedings. The operation of the Office of the Marshals of the Supreme Court does not affect the operations or jurisdiction of sheriffs or local law enforcement agencies to perform courthouse security, handle active emergencies, perform criminal investigations, or perform any other law enforcement functions.

**BILL**

Because this bill relates to public employee retirement or pensions, it may be referred to the Joint Survey Committee on Retirement Systems for a report to be printed as an appendix to the bill.

For further information see the state 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:***

**SECTION 1.** 20.680 (4) of the statutes is created to read:

20.680 (4) OFFICE OF THE MARSHALS OF THE SUPREME COURT. (a) *General program operations.* The amounts in the schedule for the general program operations of the office of the marshals of the supreme court.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

**SECTION 2.** 40.02 (17) (o) of the statutes is created to read:

40.02 (17) (o) Notwithstanding par. (d), each participant who is a marshal of the supreme court and who is classified as a protective occupation participant shall be granted creditable service as a protective occupation participant for all covered service while a marshal of the supreme court that was earned on or after the effective date of this paragraph .... [LRB inserts date], but may not be granted creditable service as a protective occupation participant for any covered service as an employee of the supreme court that was not as a protective occupation participant and that was earned before the effective date of this paragraph .... [LRB inserts date].

**SECTION 3.** 40.02 (48) (am) 24. of the statutes is created to read:

40.02 (48) (am) 24. A marshal of the supreme court.

**SECTION 4.** 40.02 (48) (b) 6. of the statutes is created to read:

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40.02 (48) (b) 6. A “marshal of the supreme court” is an individual employed by the office of the marshals of the supreme court under s. 758.195 and whose principal duties are detecting and preventing crime and enforcing laws or ordinances of this state.

**SECTION 5.** 40.02 (48) (c) of the statutes is amended to read:

40.02 (48) (c) In s. 40.65, “protective occupation participant” means a participating employee who is a police officer, fire fighter, an individual determined by a participating employer under par. (a) or (bm) to be a protective occupation participant, county undersheriff, deputy sheriff, county jailer who is certified as a protective occupation participant, state probation and parole officer, county traffic police officer, conservation warden, state forest ranger, field conservation employee of the department of natural resources who is subject to call for forest fire control or warden duty, member of the state traffic patrol, state motor vehicle inspector, University of Wisconsin System full-time police officer, guard or any other employee whose principal duties are supervision and discipline of inmates at a state penal institution, special agent employed by the department of revenue who is authorized to act under s. 73.031, person employed under s. 60.553 (1), 61.66 (1), or 62.13 (2e) (a), ~~or~~ special criminal investigation agent employed by the department of justice, or marshal of the supreme court.

**SECTION 6.** 40.65 (4y) of the statutes is created to read:

40.65 (4y) A marshal of the supreme court under s. 758.195 who becomes a protective occupation participant on or after the effective date of this subsection .... [LRB inserts date], is not entitled to a duty disability benefit under this section for

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an injury or disease occurring before the effective date of this subsection .... [LRB inserts date].

**SECTION 7.** 165.85 (2) (c) of the statutes is amended to read:

165.85 (2) (c) “Law enforcement officer” means any person employed by the state or any political subdivision of the state, for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances that the person is employed and sworn to enforce. “Law enforcement officer” includes a marshal of the supreme court under s. 758.195 and a university police officer, as defined in s. 175.42 (1) (b).

**SECTION 8.** 758.195 of the statutes is created to read:

**758.195 Office of the marshals of the supreme court. (1) CREATION.**

There is created the office of the marshals of the supreme court, under the direction and supervision of the chief marshal of the supreme court, which shall consist of all of the following personnel:

- (a) The chief marshal of the supreme court.
- (b) One deputy chief marshal of the supreme court.
- (c) Deputy marshals of the supreme court.
- (d) Administrative support personnel.

**(2) LAW ENFORCEMENT AUTHORITY.** (a) The office of the marshals of the supreme court is a law enforcement agency, as defined in s. 165.85 (2) (bv).

(b) Marshals of the supreme court are law enforcement officers, are employed for the purpose of detecting and preventing crime and enforcing laws or ordinances, and are authorized to make arrests for violations of the laws or ordinances of this

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state. Marshals of the supreme court shall meet the requirements of s. 165.85 (4) (a) 2. and 7. a., and shall agree to accept the duties of a law enforcement officer under the laws of this state. Marshals of the supreme court shall have statewide jurisdiction.

(c) Marshals of the supreme court shall have concurrent police power with other authorized peace officers over any jurisdiction in which the marshal performs his or her duties. Such concurrent police authority may not be construed to reduce or lessen the authority of the police power of the community or communities in which a marshal may perform his or her duties. Marshals of the supreme court shall cooperate with and be responsive to the local police authorities as they meet and exercise their statutory responsibilities.

(d) Marshals of the supreme court shall meet the requirements established by the law enforcement standards board for officer certification, police pursuit, recruitment, and firearms training and comply with any other statutory requirements applicable to a law enforcement agency.

**(3) POWERS.** The office of the marshals of the supreme court may provide police services to the state court system, with statewide jurisdiction; provide protective services for the supreme court justices and their offices; provide security assessments for the justices, judges, and facilities of the state court system; and provide safety and security support services and advanced security planning for circuit court proceedings.

**SECTION 9.** 939.22 (22) of the statutes is amended to read:

939.22 **(22)** "Peace officer" means any person vested by law with a duty to

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maintain public order or to make arrests for crime, whether that duty extends to all crimes or is limited to specific crimes. “Peace officer” includes a commission warden, a marshal of the supreme court under s. 758.195, and a university police officer, as defined in s. 175.42 (1) (b).

**(END)**