
Wisconsin Legislative Council

AMENDMENT MEMO



Memo published: February 15, 2024

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2023 Assembly Bill 1004

**Assembly
Amendment 1**

2023 ASSEMBLY BILL 1004

2023 Assembly Bill 1004 establishes a process that must be followed if an employee or officer of a local governmental unit¹ contacts or is contacted by the federal government or a private nonprofit voluntary agency acting under the federal Immigration and Nationality Act regarding the proposed placement of refugees in the local governmental unit. Briefly, the process includes the following steps:

- The employee or officer submits a written report on the contact to the chief elected official and clerk of the local governmental unit.
- The chief elected official provides written notification to each local governmental unit within a 100-mile radius.
- Each of those local governmental units places the notification as an informational item on a meeting agenda and designates an employee or officer for purposes of consulting with the federal government or the private nonprofit voluntary agency regarding refugee resettlement and assistance under federal law.
- Each of the designees within a county meet to discuss the proposed placement of refugees, hold a hearing on the proposed placement, and make a recommendation whether the relevant local governmental unit should pass a resolution regarding its position on the proposed placement.

Under the bill, a taxpayer of a local governmental unit may commence an action for injunctive relief, a writ of mandamus or prohibition, or other legal or equitable relief to compel compliance with certain requirements of the bill.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 provides that the steps described in the bulleted list above apply only with regard to the **initial** contact between the employee or officer of the local governmental unit and the federal government or the private nonprofit voluntary agency.

The amendment also does the following:

- Defines “private nonprofit voluntary agency” as an organization that participates in the federal reception and placement program under a cooperative agreement with the U.S. Department of State to sponsor and provide assistance and support to refugees upon arrival in the United States.
- Clarifies that “refugee” means a refugee as defined in the federal Immigration and Nationality Act. Briefly, a refugee is a person who is outside of that person’s country of nationality and who is unable

¹ A “local governmental unit” means a city, village, town, county, or school district.

or unwilling to return to that country because of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

- Removes the cause of action.

BILL HISTORY

Representative Hurd offered Assembly Amendment 1 on February 9, 2024. On February 13, 2024, the Assembly Committee on State Affairs recommended adoption of the amendment and passage of the bill, as amended, each on a vote of Ayes, 8; Noes, 5.

For a full history of the bill, visit the Legislature's [bill history page](#).

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