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State of Misconsin 2021 - 2022 LEGISLATURE

LRB-2315/1 EVM:cdc

2021 SENATE BILL 193

March 10, 2021 – Introduced by Senators BERNIER, COWLES, JACQUE, ROYS and L. TAYLOR, cosponsored by Representatives MACCO, STEFFEN, ARMSTRONG, BALDEH, JAMES, KITCHENS, ORTIZ-VELEZ, ROZAR, SKOWRONSKI, SUBECK, TAUCHEN, THIESFELDT, TUSLER and ZIMMERMAN. Referred to Committee on Judiciary and Public Safety.

1 AN ACT to renumber and amend 66.0501 (1); and to create 66.0501 (1) (b) and

- 165.85 (4) (a) 1m. of the statutes; relating to: appointment of certain lawfully
- present aliens as law enforcement officers.

Analysis by the Legislative Reference Bureau

Under current law, no person may be appointed as a deputy sheriff of any county or police officer of any city, village, or town unless that person is a citizen of the United States. This bill allows the sheriff of a county or the appointing authority of a local law enforcement agency to elect to authorize the appointment of aliens who are the subject of a notice of decision from the federal Department of Homeland Security (DHS) granting deferred action under the Deferred Action for Childhood Arrivals program and who are in receipt of a valid employment authorization from the DHS as deputy sheriffs or police officers. The bill also prevents the law enforcement standards board from preventing such an alien from participating in a law enforcement preparatory training program.

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

SECTION 1. 66.0501 (1) of the statutes is renumbered 66.0501 (1) (a) and

5 amended to read:

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66.0501 (1) (a) No Except as provided in par. (b), no person may be appointed
deputy sheriff of any county or police officer for any city, village, or town unless that
person is a citizen of the United States. This section does not apply to common
carriers or to a deputy sheriff not required to take an oath of office.

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5 SECTION 2. 66.0501 (1) (b) of the statutes is created to read:

6 66.0501 (1) (b) The sheriff of a county or the appointing authority of a local law 7 enforcement agency that provides police service to a city, village, or town may elect 8 to authorize the appointment of aliens who are the subject of a notice of decision from 9 the federal department of homeland security granting deferred action under the 10 Deferred Action for Childhood Arrivals program of the federal department of 11 homeland security and who are in receipt of a valid employment authorization from 12the federal department of homeland security as deputy sheriffs for that county or as 13police officers for that city, village, or town.

14 **SECTION 3.** 165.85 (4) (a) 1m. of the statutes is created to read:

15 165.85 (4) (a) 1m. The board may not create criteria for participation in the 16 preparatory training program under subd. 1. that would prevent a person from 17 participation if the person is the subject of a notice of decision from the federal 18 department of homeland security granting deferred action under the Deferred 19 Action for Childhood Arrivals program of the federal department of homeland 20 security and the person is in receipt of a valid employment authorization from the 21 federal department of homeland security.

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(END)