

## State of Misconsin 2023 - 2024 LEGISLATURE

LRB-2484/1 EVM:emw&skw

## 2023 ASSEMBLY BILL 426

September 19, 2023 - Introduced by Representatives Sortwell, Penterman, Baldeh, Melotik, Ohnstad and Ortiz-Velez, cosponsored by Senator James. Referred to Committee on Criminal Justice and Public Safety.

- 1 AN ACT to repeal 66.0501 (1); to amend 66.0511 (title); and to create 66.0511
- 2 (1) (am), 66.0511 (1) (ar), 66.0511 (1) (c) and 66.0511 (4) of the statutes; **relating**
- 3 **to:** eligibility for appointment as a law enforcement or correctional officer.

#### 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 provides that no person may be appointed as a law enforcement officer or correctional officer unless that person is legally eligible to work in that position in the United States and, if the person is not a citizen of the United States, has been lawfully present in the United States for the six consecutive years preceding appointment. The bill specifies, however, that noncitizen holders of A-3, N-8, or N-9 visas may not be appointed to any of these positions.

# 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- **SECTION 1.** 66.0501 (1) of the statutes is repealed.
- **Section 2.** 66.0511 (title) of the statutes is amended to read:
- 6 66.0511 (title) Law enforcement agency policies on use of force and
- 7 citizen complaint procedures agencies.

### **ASSEMBLY BILL 426**

1	<b>Section 3.</b> 66.0511 (1) (am) of the statutes is created to read:
2	66.0511 (1) (am) "Correctional officer" has the meaning given in s. 102.475 (8)
3	(a).
4	<b>Section 4.</b> 66.0511 (1) (ar) of the statutes is created to read:
5	66.0511 (1) (ar) "Jail officer" has the meaning given in s. $165.85$ (2) (bn).
6	<b>Section 5.</b> 66.0511 (1) (c) of the statutes is created to read:
7	66.0511 (1) (c) "Law enforcement officer" has the meaning given in s. 165.85
8	(2) (c).
9	<b>Section 6.</b> 66.0511 (4) of the statutes is created to read:
10	66.0511 (4) Employment eligibility. (a) No person may be appointed as a
11	correctional officer, jail officer, or law enforcement officer unless that person is legally
12	eligible to work in that position in the United States and, if the person is not a citizen
13	of the United States, has been lawfully present in the United States for the 6
14	consecutive years preceding appointment.
15	(b) Notwithstanding par. (a), no person who is an alien within a class of
16	nonimmigrant aliens under 8 USC 1101 (a) (15) (A) (iii) or (N) (i) or (ii) may be
17	appointed as a correctional officer, jail officer, or law enforcement officer.
18	(c) This subsection does not apply to common carriers.
19	(END)