



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-4126/1
EVM:emw&skw

2023 SENATE BILL 417

September 8, 2023 - Introduced by Senator JAMES, cosponsored by Representatives SORTWELL, PENTERMAN, BALDEH, MELOTIK, OHNSTAD and ORTIZ-VELEZ. Referred to Committee on Judiciary and Public Safety.

AN ACT *to repeal* 66.0501 (1); *to amend* 66.0511 (title); and *to create* 66.0511

(1) (am), 66.0511 (1) (ar), 66.0511 (1) (c) and 66.0511 (4) of the statutes;

relating 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SECTION 1. 66.0501 (1) of the statutes is repealed.

SENATE BILL 417**SECTION 2**

SECTION 2. 66.0511 (title) of the statutes is amended to read:

**66.0511 (title) ~~Law enforcement agency policies on use of force and~~
~~citizen complaint procedures~~ agencies.**

SECTION 3. 66.0511 (1) (am) of the statutes is created to read:

66.0511 (1) (am) "Correctional officer" has the meaning given in s. 102.475 (8) (a).

SECTION 4. 66.0511 (1) (ar) of the statutes is created to read:

66.0511 (1) (ar) "Jail officer" has the meaning given in s. 165.85 (2) (bn).

SECTION 5. 66.0511 (1) (c) of the statutes is created to read:

66.0511 (1) (c) "Law enforcement officer" has the meaning given in s. 165.85 (2) (c).

SECTION 6. 66.0511 (4) of the statutes is created to read:

66.0511 (4) EMPLOYMENT ELIGIBILITY. (a) No person may be appointed as a correctional officer, jail officer, or law enforcement 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 6 consecutive years preceding appointment.

(b) Notwithstanding par. (a), no person who is an alien within a class of nonimmigrant aliens under 8 USC 1101 (a) (15) (A) (iii) or (N) (i) or (ii) may be appointed as a correctional officer, jail officer, or law enforcement officer.

(c) This subsection does not apply to common carriers.

(END)