

# State of Wisconsin



2021 Senate Bill 119

Date of enactment:  
Date of publication\*:

## 2021 WISCONSIN ACT

**AN ACT** to amend 79.035 (5); to repeal and recreate 79.035 (5); and to create 79.035 (9) of the statutes; relating to: decreasing shared revenue payments to municipalities based on decreased funding for law enforcement officers, members of the paid fire department, and emergency medical responders.

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

**SECTION 1.** 79.035 (5) of the statutes is amended to read:

79.035 (5) Except as provided in subs. (6), (7), and (8), and (9) for the distribution in 2013 and subsequent years, each county and municipality shall receive a payment under this section that is equal to the amount of the payment determined for the county or municipality under this section for 2012.

**SECTION 2.** 79.035 (5) of the statutes, as affected by 2019 Wisconsin Act 19, section 18, and 2021 Wisconsin Act ... (this act), is repealed and recreated to read:

79.035 (5) Except as provided in subs. (7), (8), and (9) for the distribution in 2013 and subsequent years, each county and municipality shall receive a payment under this section that is equal to the amount of the payment determined for the county or municipality under this section for 2012.

**SECTION 3.** 79.035 (9) of the statutes is created to read:

79.035 (9) (a) 1. In this subsection:

a. "Emergency medical responder" has the meaning given in s. 256.01 (4p).

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

c. "Members of the paid fire department" has the meaning given in s. 213.10 (1g).

2. For the distribution in 2021 and subsequent years, if in any year a municipality decreases the amount of its municipal budget dedicated to hiring, training, and retaining law enforcement officers, members of the paid fire department, and emergency medical responders so that the amount is less than the amount so dedicated in the previous year, the department of administration shall reduce the municipality's payment under this section by the amount of the decrease in the municipality's budget dedicated to hiring, training, and retaining law enforcement officers, members of the paid fire department, and emergency medical responders. If in any year a municipality maintains the amount of its municipal budget dedicated to hiring, training, and retaining law enforcement officers, members of the paid fire department, or emergency medical responders so that the amount is the same as the amount so dedicated in the previous year but the municipality retains fewer law enforcement officers, members of the paid fire department, or emergency medical responders, not including law enforcement officers

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

funded by federal grants, the department of administration shall reduce the municipality's payment under this section by the amount of the compensation paid to the law enforcement officers, members of the paid fire department, or emergency medical responders who are no longer retained by the municipality.

3. The amount of the most recent reduced payment that the municipality receives under subd. 2. shall be the amount of the municipality's payment under this section in subsequent years.

(b) This subsection does not apply to a municipality that transfers responsibility for providing law enforcement, fire fighting services, or emergency medical response services to another local unit of government, that enters into a cooperative agreement to share law enforcement, fire fighting service, or emergency medical response service responsibilities with another local unit of government, or that decreases its budget related to law

enforcement, fire fighting services, or emergency medical response services while retaining the same number of members of the paid fire department, emergency medical responders, and law enforcement officers, not including officers funded by federal grants. This subsection also does not apply to any municipality that regularly employs and retains fewer than 30 law enforcement officers, members of the paid fire department, or emergency medical responders.

(c) The amount of all reductions under par. (a) 2. in the year of distribution shall be distributed to the municipalities that are not subject to a reduction under par. (a) 2. in proportion to their share of all payments under this section.

**SECTION 4. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The repeal and recreation of s. 79.035 (5) takes effect on June 30, 2036.

---