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LRB-1786/1 MES:wlj

# 2017 ASSEMBLY BILL 421

June 30, 2017 - Introduced by Representatives Spreitzer, Thiesfeldt, Berceau, Bowen, Genrich, Hintz, Kolste, Ohnstad, Subeck, Quinn and Wachs, cosponsored by Senators Ringhand and Feyen. Referred to Committee on State Affairs.

AN ACT to repeal 64.09 (3); and to create 66.0502 (4) (e) of the statutes; relating

**to:** authorizing limited residency requirements for a city operating under the city manager plan.

## Analysis by the Legislative Reference Bureau

Under current law, a 2nd, 3rd, and 4th class city, as well as certain villages with a population in excess of 1,000, may choose to operate under the city manager form of government. Under this system, the elective members of the common council elect a city manager. The election of the city manager must be based purely on merit, and the members of the council must give due regard for a candidate's training, experience, and executive and adminstrative abilities. A city manager is engaged by the council for an indefinite term, and he or she is in charge of the executive side of city government. Currently, residence in the city or the state may not be a qualification for the office of city manager.

Also under current law, a local governmental unit (any city, village, town, county, or school district) may not, generally, require as a condition of employment that any employee or prospective employee reside within any jurisdictional limit. Current law provides limited exceptions to the prohibition on residency requirements for law enforcement, fire, or emergency personnel.

Under this bill, a city or village that operates under the city manager system of government may impose a residency requirement on its city manager. The residency requirement authorized under the bill first applies to an individual who is hired for the position of city manager on the bill's effective date.

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For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

- **Section 1.** 64.09 (3) of the statutes is repealed.
- **SECTION 2.** 66.0502 (4) (e) of the statutes is created to read:
  - 66.0502 (4) (e) A city or village that has elected, or is in the process of electing, a city manager under s. 64.09 may impose on the city manager a residency requirement which contains terms and conditions that the city or village considers appropriate.

### SECTION 3. Initial applicability.

(1) This act first applies to an individual who is hired for the position of city manager on the effective date of this subsection.

10 (END)