State of Misconsin 2023 - 2024 LEGISLATURE

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2023 ASSEMBLY BILL 459

September 28, 2023 - Introduced by Representatives Sortwell, Tittl, Brooks, Donovan, Edming, Murphy, Mursau and Spiros, cosponsored by Senator Wanggaard. Referred to Committee on Criminal Justice and Public Safety.

AUTHORS SUBJECT TO CHANGE

- AN ACT to amend 165.055 (title); and to create 15.253 (1), 165.055 (3) and 978.048 of the statutes; relating to: temporary employee interchanges between the Department of Justice and an office of the district attorney.
 - Analysis by the Legislative Reference Bureau

Under current law, a state agency or local government may participate in a temporary employee interchange program as part of intergovernmental cooperation. Under current law, the governmental entity that sends an employee to another governmental entity continues to be the employer of the employee, but the entities may have an agreement on the supervision of the employee during the period of the interchange.

This bill specifies that a district attorney may request the attorney general to assign attorneys at the Department of Justice to perform the duties of an attorney for the district attorney. Under the bill, the district attorney would supervise the attorney. The bill requires DOJ to create a division for such attorneys that may be assigned to a district attorney.

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

Section 1. 15.253 (1) of the statutes is created to read:

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1	15.253 (1) PROSECUTING TASK FORCE. There is created in the department of
2	justice a division named the prosecuting task force.
3	Section 2. 165.055 (title) of the statutes is amended to read:
4	165.055 (title) Appointments and temporary staff interchanges.
5	Section 3. 165.055 (3) of the statutes is created to read:
6	165.055 (3) Upon the request of a district attorney under s. 978.048, the
7	attorney general may assign under s. 230.047 an attorney from the prosecuting task
8	force to that district attorney. Notwithstanding s. 230.047 (4) (b), an attorney
9	assigned under this subsection is under the supervision of the district attorney.
10	Section 4. 978.048 of the statutes is created to read:
11	978.048 Temporary assignment of attorneys from department of
12	justice. A district attorney may request the attorney general to assign an attorney
13	under s. 230.047 to temporarily perform the duties of an attorney for the district
14	attorney if the district attorney determines a need for such assistance.

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