

# State of Misconsin 2023 - 2024 LEGISLATURE

LRB-1019/1 EVM:skw

# 2023 ASSEMBLY BILL 51

February 20, 2023 - Introduced by Representatives Macco, Steffen, Kitchens, Armstrong, Baldeh, Behnke, Duchow, Edming, Emerson, S. Johnson, Krug, Michalski, Murphy, Mursau, O'Connor, Ohnstad, Ortiz-Velez, Schmidt, Schraa, Snyder and Green, cosponsored by Senators James, Taylor and Jacque. Referred to Committee on Criminal Justice and Public Safety.

### \*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

- AN  $\overline{ACT}$  to renumber and amend 66.0501 (1); and to create 66.0501 (1) (b) and
- 2 165.85 (4) (a) 1m. of the statutes; **relating to:** appointment of certain lawfully
- 3 present aliens as law enforcement officers.

## 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 allows the sheriff of a county or the appointing authority of a local law enforcement agency to elect to authorize the appointment of aliens who are the subject of a notice of decision from the federal Department of Homeland Security (DHS) granting deferred action under the Deferred Action for Childhood Arrivals program and who are in receipt of a valid employment authorization from the DHS as deputy sheriffs or police officers. The bill also prevents the law enforcement standards board from preventing such an alien from participating in a law enforcement preparatory training program.

# 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 renumbered 66.0501 (1) (a) and
- 5 amended to read:

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66.0501 (1) (a) No Except as provided in par. (b), no person may be appointed deputy sheriff of any county or police officer for any city, village, or town unless that person is a citizen of the United States. This section does not apply to common carriers or to a deputy sheriff not required to take an oath of office.

**Section 2.** 66.0501 (1) (b) of the statutes is created to read:

66.0501 (1) (b) The sheriff of a county or the appointing authority of a local law enforcement agency that provides police service to a city, village, or town may elect to authorize the appointment of aliens who are the subject of a notice of decision from the federal department of homeland security granting deferred action under the Deferred Action for Childhood Arrivals program of the federal department of homeland security and who are in receipt of a valid employment authorization from the federal department of homeland security as deputy sheriffs for that county or as police officers for that city, village, or town.

**Section 3.** 165.85 (4) (a) 1m. of the statutes is created to read:

165.85 (4) (a) 1m. The board may not create criteria for participation in the preparatory training program under subd. 1. that would prevent a person from participation if the person is the subject of a notice of decision from the federal department of homeland security granting deferred action under the Deferred Action for Childhood Arrivals program of the federal department of homeland security and the person is in receipt of a valid employment authorization from the federal department of homeland security.

22 (END)