

# State of Wisconsin



2021 Senate Bill 117

Date of enactment:  
Date of publication\*:

## 2021 WISCONSIN ACT

AN ACT *to renumber* 62.13 (3); *to renumber and amend* 62.13 (1), 62.50 (1h) and 62.50 (6); *to amend* 19.42 (7w) (c), 60.57 (2), 61.65 (3g) (d) 1. a., 62.13 (2) (a), 62.13 (6m) (intro.), 62.50 (17) (a), 62.50 (19), 62.50 (21) and 62.51 (1) (a); *to repeal and recreate* 62.50 (1e); and *to create* 62.13 (1b), 62.13 (1m) (a) 2., 62.13 (1m) (d), 62.13 (1m) (e), 62.13 (3) (b), 62.13 (3) (c), 62.13 (3) (d), 62.13 (3m), 62.50 (1h) (b), 62.50 (1h) (d) 2. b., 62.50 (1h) (d) 2. c., 62.50 (1h) (f) 1., 62.50 (1h) (f) 3., 62.50 (1j), 62.50 (5g), 62.50 (5m), 62.50 (6) (b), 62.50 (6) (c) and 62.50 (21m) of the statutes; **relating to:** boards of police and fire commissioners and protective services departments in populous cities.

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

**SECTION 1.** 19.42 (7w) (c) of the statutes is amended to read:

19.42 (7w) (c) An appointive office or position of a local governmental unit in which an individual serves for a specified term, including a member of a board created under s. 60.57, 61.65, 62.13, or 62.50, except a position limited to the exercise of ministerial action or a position filled by an independent contractor.

**SECTION 2.** 60.57 (2) of the statutes is amended to read:

60.57 (2) A board created under this section shall be organized in the same manner as boards of police and fire commissioners under s. 62.13 (4) (1m) (a) 1.

**SECTION 3.** 61.65 (3g) (d) 1. a. of the statutes is amended to read:

61.65 (3g) (d) 1. a. A board created under this section shall be organized in the same manner as boards of police and fire commissioners under s. 62.13 (4) (1m) (a) 1.

**SECTION 4.** 62.13 (1) of the statutes is renumbered 62.13 (1m) (a) 1. and amended to read:

62.13 (1m) (a) 1. Except as provided in subd. 2. and subs. (2g), (2m), (2s), and (8) (b), each city shall have a board of police and fire commissioners consisting of 5 citizens, 3 of whom shall constitute a quorum.

(b) The mayor shall annually, between the last Monday of April and the first Monday of May, appoint in writing to be filed with the secretary of the board, one member of a board under par. (a) for a term of 5 years. For a 2nd class city with a population of 200,000 or more in a year in which the terms of 2 members expire, the mayor may appoint a 2nd member of a board under par. (a) 2. in the same manner for a term of 5 years. Except as provided in par. (a) 2. a., if the mayor of a 2nd class city with a population of 200,000 or more fails to make an appointment within 120 days of a vacancy occurring, the common council may make the appointment by a majority vote of the members of the common council in open session. No appointment shall may be made which that will result in more than 3 members of the board belonging to the same political party. The common council of a 2nd class city with a population of 200,000 or more shall hold 2 public hearings that include public comment periods with regard to each appointment to the board, including

\* 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."

an appointment made by the common council under this paragraph.

(c) ~~The A~~ board shall keep a record of its proceedings.

**SECTION 5.** 62.13 (1b) of the statutes is created to read:

62.13 (1b) DEFINITION. In this section, “board” means a board of police and fire commissioners under sub. (1m) (a) or a joint board of police and fire commissioners under sub. (2) (b) or (2m) (b).

**SECTION 6.** 62.13 (1m) (a) 2. of the statutes is created to read:

62.13 (1m) (a) 2. a. Each 2nd class city with a population of 200,000 or more shall have a board of police and fire commissioners consisting of 7 members, including at least one member selected from a list submitted by the employee association that represents nonsupervisory law enforcement officers and at least one member selected from a list submitted by the employee association that represents fire fighters. Lists of individuals submitted for selection under this subd. 2. a. shall contain 5 names. Individuals included in a list submitted under this subd. 2. a. by an employee association that represents nonsupervisory law enforcement officers or fire fighters shall have professional law enforcement experience or professional fire fighting experience, respectively, and shall be at least 5 years removed from service as a professional law enforcement officer or fire fighter, respectively. If the mayor fails to make an appointment that is required to be selected from a list under this subd. 2 a. within 120 days of a vacancy occurring, the common council, within 60 days and after not fewer than 2 public hearings that include public comment periods with regard to the appointment, shall make the appointment. Notwithstanding par. (b), the initial term of the member selected from a list submitted by the employee association that represents nonsupervisory law enforcement officers shall be 2 years and the initial term of the member selected from a list submitted by the employee association that represents fire fighters shall be 5 years. The members selected from lists submitted by employee associations that represent nonsupervisory law enforcement officers and fire fighters shall comply with any residency requirements that apply to current members of the police or fire department, respectively, of the city.

b. A board member of a 2nd class city with a population of 200,000 or more may not continue in office after the expiration of his or her term, unless the member is reappointed to the board.

c. Five members constitute a quorum of a board under this subdivision.

**SECTION 7.** 62.13 (1m) (d) of the statutes is created to read:

62.13 (1m) (d) 1. The city shall provide a training class for members of the board. The city may provide this class directly or in another manner, including by con-

tracting with another person. The training class shall cover all of the following:

a. The mission and role of the board.

b. The procedures that apply to disciplinary hearings under this section, including applicable rules of evidence and applicable provisions of any contract between the city and employee associations that represent nonsupervisory law enforcement officers or fire fighters.

c. The conduct policies of the police and fire departments.

d. Use of force guidelines of the police department.

2. Not later than the first day of the 7th month beginning after the mayor files the appointment of a member of the board with the secretary of the board, the member shall enroll in the training class under subd. 1. and, not later than the first day of the 13th month beginning after the mayor files the member’s appointment with the secretary of the board, the member shall complete the class.

3. Notwithstanding sub. (5), no member may participate in any board action until he or she completes the training class under subd. 1. and any other training required by the city.

4. This paragraph applies only in a 2nd class city with a population of 200,000 or more.

**SECTION 8.** 62.13 (1m) (e) of the statutes is created to read:

62.13 (1m) (e) All employees of the board of a 2nd class city with a population of 200,000 or more shall be nonpartisan.

**SECTION 9.** 62.13 (2) (a) of the statutes is amended to read:

62.13 (2) (a) Except as provided under sub. (6m), subs. (4) ~~(1m)~~ to (6) shall not apply to cities of less than 4,000 population except by ordinance adopted by a majority of all the members of the council. A repealing ordinance may be adopted by a like vote.

**SECTION 10.** 62.13 (3) of the statutes is renumbered 62.13 (3) (a).

**SECTION 11.** 62.13 (3) (b) of the statutes is created to read:

62.13 (3) (b) Before appointing a chief of police, chief of the fire department, or chief of a combined protective services department under this subsection, the board of a 2nd class city with a population of 200,000 or more shall do all of the following:

1. Meet with representatives of the nonsupervisory employee association whose members will serve under the proposed chief.

2. Hold at least 2 public meetings to hear comments from residents of the city and other interested persons.

**SECTION 12.** 62.13 (3) (c) of the statutes is created to read:

62.13 (3) (c) If the board of a 2nd class city with a population of 200,000 or more accepts an additional application for chief of police after the application

period for accepting these applications has closed, the board shall reopen the application period for an additional 7 days beginning on the date it accepted the late application.

**SECTION 13.** 62.13 (3) (d) of the statutes is created to read:

62.13 (3) (d) 1. If the common council adopts a resolution by a two-thirds vote of the members-elect, as defined in s. 59.001 (2m), to conduct a performance review of the chief of police, the chief of the fire department, or the chief of a combined protective services department, the board shall conduct the review and provide a written report to the common council.

2. At least once each year, the chief of police and the chief of the fire department, or the chief of a combined protective services department, shall meet with the members of the common council at a regular meeting of the council.

3. Upon request by the common council or any committee of the common council, the chair of the board, the vice chair of the board, or the executive director under sub. (3m) shall attend a meeting of the common council or a committee of the common council.

4. This paragraph applies only in a 2nd class city with a population of 200,000 or more.

**SECTION 14.** 62.13 (3m) of the statutes is created to read:

62.13 (3m) EXECUTIVE DIRECTOR. (a) No later than the 2nd Monday in June occurring after the effective date of the paragraph .... [LRB inserts date], the 2nd Monday in June immediately preceding the expiration of the regular term of office of the executive director, or within 60 days of a vacancy in the position, the board shall submit to the mayor a list of 3 qualified candidates for the position of executive director. Before submitting the list of candidates to the mayor, the board shall publicly announce the proposed list and hold a public hearing that includes a public comment period with regard to the list. No later than 30 days after receiving the list, the mayor shall appoint an individual selected from the list as executive director. The individual appointed is subject to confirmation by the common council.

(b) The common council shall fix the salary or other compensation of the executive director.

(c) The initial regular term of office of the executive director is 4 years from the 2nd Monday in July occurring after the effective date of this paragraph .... [LRB inserts date]. Thereafter, the regular term of office is 4 years from the 2nd Monday in July following appointment of an executive director to a regular term under this subsection. An executive director appointed under this subsection may continue to hold office until a successor is appointed and confirmed.

(d) 1. An executive director may be removed by a majority vote of the board in open session.

2. Notwithstanding s. 17.12 (1) (c), an executive director may not be removed by the mayor.

(e) The executive director shall do all of the following:

1. Act as the principal staff of the board in exercising the board's functions and powers under this section.

2. Review situations or investigations when an individual is dissatisfied with the outcome of an investigation or situation involving the police, fire, or combined protective services department.

3. Evaluate the policies, practices, and patterns, including staff deployments, crime and fire prevention training, use of force, search, seizure, citizen interaction, and communication of the police and fire departments or the combined protective services department.

4. Issue reports to the public at least annually relating to the status and outcome of complaints that have been filed, the timeliness of complaint resolution, trends and patterns of concern pertaining to complaint investigations, the nature and frequency of complaints, and other performance indicators.

(f) If the executive director is an attorney, no attorney-client privilege exists between the executive director and the mayor or common council.

(g) This subsection applies only to a 2nd class city with a population of 200,000 or more.

**SECTION 15.** 62.13 (6m) (intro.) of the statutes is amended to read:

62.13 (6m) (intro.) If a city of less than 4,000 population has not by ordinance applied subs. ~~(4)~~ (1m) to (6) to the city, the city may not suspend, reduce, suspend and reduce, or remove any police chief, combined protective services chief, or other law enforcement officer who is not probationary, and for whom there is no valid and enforceable contract of employment or collective bargaining agreement which provides for a fair review prior to that suspension, reduction, suspension and reduction or removal, unless the city does one of the following:

**SECTION 16.** 62.50 (1e) of the statutes is repealed and recreated to read:

62.50 (1e) DEFINITION. In this section, "board" means the board of fire and police commissioners of a 1st class city.

**SECTION 17.** 62.50 (1h) of the statutes is renumbered 62.50 (1h) (a) and amended to read:

62.50 (1h) (a) In all 1st class cities, however incorporated, there shall be a board of fire and police commissioners, consisting of ~~either 7 or 9~~ 9 citizens, not more than 3, ~~if the board has 7 members, or 4, if the board has 9 members,~~ of whom shall at any time belong to the same political party.

(c) The staff and members of the board shall receive the salary or other compensation for their services fixed by the common council. The salary shall be fixed at the same time and in the same manner as the salary of other

city officials and employees. All employees of the board shall be nonpartisan.

(d) 1. Except as otherwise provided in this subsection, a majority of the members—elect, as that term is used in s. 59.001 (2m), of the board shall constitute a quorum necessary for the transaction of business.

~~2. a. A 3-member panel of the board may conduct, and decide by majority vote, a trial described under sub. (12) or may hear and decide, by majority vote, charges filed by an aggrieved person under sub. (19). It shall be the duty of the mayor of the city, on or before the 2nd Monday in July, to appoint 7, or 9, members of the board, designating the term of office of each, one to hold one year, 2 to hold 2 years, 2 to hold 3 years, one to hold 4 years if the board has 7 members, and 2 to hold 4 years if the board has 9 members, and one to hold 5 years if the board has 7 members, and 2 to hold 5 years if the board has 9 members, and until their respective successors shall be appointed and qualified. Thereafter the~~

~~(e) The terms of office for members of the board shall be 5 years from the 2nd Monday in July, and until a successor is appointed and qualified. The mayor may reduce the size of the board from 9 to 7 members by failing to appoint 2 successors for individuals whose terms expire at the same time. Every person appointed a member~~ The mayor shall appoint members of the board shall be subject to confirmation by the common council ~~and every, If the common council rejects a member submitted for confirmation by the mayor, the person may not continue in office. Except as provided in par. (b), if the mayor fails to make an appointment within 120 days of a vacancy occurring, the common council may make the appointment by a majority vote of the members of the common council in open session. Before confirmation or appointment by the common council under this paragraph, the common council shall hold 2 public hearings that include public comment periods with regard to the confirmation or appointment. Every appointed member shall, before entering upon the duties of the office take and subscribe the oath of office prescribed by article IV, section 28, of the constitution, and file the same duly certified by the officer administering it, with the clerk of the city. A member of the board may not continue in office after the expiration of his or her term, unless the member is reappointed to the board and confirmed by the common council.~~

(f) 2. Not later than the first day of the 7th month beginning after a member of the board appointed by the mayor is confirmed by the common council, the member shall enroll in ~~a the training class that is related to the mission of the board under subd. 1,~~ and, not later than the first day of the 13th month beginning after a member appointed by the mayor is confirmed by the common council, the member shall complete the class. ~~The training class shall be conducted by the city. Appointments made prior to the time this subchapter first applies to a 1st~~

~~class city shall not be subject to confirmation by the common council.~~

**SECTION 18.** 62.50 (1h) (b) of the statutes is created to read:

62.50 (1h) (b) At least one member of the board shall be selected from a list submitted by the employee association that represents nonsupervisory law enforcement officers and at least one member selected from a list submitted by the employee association that represents fire fighters. Lists of individuals submitted for selection under this paragraph shall contain 5 names. Individuals included in a list submitted under this paragraph by an employee association that represents nonsupervisory law enforcement officers or fire fighters shall have professional law enforcement experience or professional fire fighting experience, respectively, and shall be at least 5 years removed from service as a professional law enforcement officer or fire fighter, respectively. If the mayor fails to make an appointment that is required to be selected from a list under this paragraph within 120 days after a vacancy occurs, the common council, within 60 days and after not fewer than 2 public hearings that include public comment periods with regard to the appointment, shall make the appointment. Notwithstanding the other requirements regarding length of terms in this subsection, the initial term of the member selected from a list submitted by the employee association that represents nonsupervisory law enforcement officers shall be 2 years and the initial term of the member selected from a list submitted by the employee association that represents fire fighters shall be 5 years. The members selected from lists submitted by employee associations that represent nonsupervisory law enforcement officers and fire fighters shall comply with any residency requirements that apply to current members of the police or fire department, respectively, of the city.

**SECTION 18g.** 62.50 (1h) (d) 2. b. of the statutes is created to read:

62.50 (1h) (d) 2. b. Except as provided under subd. 2. c., for a trial of a member of the police force, at least one member of the panel shall have professional law enforcement experience, and for a trial of a member of the fire department, at least one member of the panel shall have professional fire fighting experience.

**SECTION 18r.** 62.50 (1h) (d) 2. c. of the statutes is created to read:

62.50 (1h) (d) 2. c. If a trial is to be conducted and decided by a 3-member panel of the board and at the time of service of the notice fixing the time and place of trial under sub. (14), the board determines that, for a trial of a member of the police department, all board members having professional law enforcement experience will be unavailable for the trial or, for a trial of a member of the fire department, all board members having professional fire fighting experience will be unavailable for the trial, the trial may be conducted and decided by a 3-member

panel that does not include a member with the requisite experience.

**SECTION 19.** 62.50 (1h) (f) 1. of the statutes is created to read:

62.50 (1h) (f) 1. The city shall provide a training class for members of the board. The city may provide this class directly or in another manner, including by contracting with another person. The training class shall cover all of the following:

- a. The mission and role of the board.
- b. The procedures that apply to disciplinary hearings under this section, including applicable rules of evidence and applicable provisions of any contract between the city and employee associations that represent nonsupervisory law enforcement officers or fire fighters.
- c. The conduct policies of the police and fire departments.
- d. Use of force guidelines of the police department.

**SECTION 20.** 62.50 (1h) (f) 3. of the statutes is created to read:

62.50 (1h) (f) 3. No member may participate in any board action until he or she completes the training class under subd. 1. and any other training required by the city.

**SECTION 20g.** 62.50 (1j) of the statutes is created to read:

62.50 (1j) LEGAL SERVICES. The board may retain an attorney to represent the board in any action or proceeding brought for or against the board and to provide any other legal services requested by the board.

**SECTION 21.** 62.50 (5g) of the statutes is created to read:

62.50 (5g) EXECUTIVE DIRECTOR. (a) No later than the 2nd Monday in June occurring after the effective date of the paragraph .... [LRB inserts date], the 2nd Monday in June immediately preceding the expiration of the regular term of office of the executive director, or within 60 days of a vacancy in the position, the board shall submit to the mayor a list of 3 qualified candidates for the position of executive director. Before submitting the list of candidates to the mayor, the board shall publicly announce the proposed list and hold a public hearing that includes a public comment period with regard to the list. No later than the 30 days after receiving the list, the mayor shall appoint an individual selected from the list as executive director. The individual appointed is subject to confirmation by the common council.

(b) The common council shall fix the salary or other compensation of the executive director.

(c) The initial regular term of office of the executive director is 4 years from the 2nd Monday in July occurring after the effective date of this paragraph .... [LRB inserts date]. Thereafter, the regular term of office is 4 years from the 2nd Monday in July following appointment of an executive director to a regular term under this section. An executive director appointed under this section may

continue to hold office until a successor is appointed and confirmed.

(d) 1. An executive director may be removed by a majority vote of the board in open session.

2. Notwithstanding s. 17.12 (1) (c), an executive director may not be removed by the mayor.

(e) The executive director shall do all of the following:

1. Act as the principal staff of the board in exercising the board's functions and powers under this section.
2. Review situations or investigations when an individual is dissatisfied with the outcome of an investigation or situation involving the police or fire department.
3. Evaluate the policies, practices, and patterns, including staff deployments, crime and fire prevention training, use of force, search, seizure, citizen interaction, and communication of the police and fire departments.
4. Issue reports to the public at least annually relating to the status and outcome of complaints that have been filed, the timeliness of complaint resolution, trends and patterns of concern pertaining to complaint investigations, the nature and frequency of complaints, and other performance indicators.

5. Attend any regular meeting of the common council or meeting of council committee where his or her presence is requested by the council.

(f) If the executive director is an attorney, no attorney-client privilege exists between the executive director and the mayor or common council.

**SECTION 22.** 62.50 (5m) of the statutes is created to read:

62.50 (5m) COMMON COUNCIL OVERSIGHT. (a) If the common council adopts a resolution by a two-thirds vote of the members-elect, as defined in s. 59.001 (2m), to conduct a performance review of the chief of police or the chief engineer of the fire department, the board shall conduct the review and provide a written report to the common council.

(b) At least once each year, the chief of police and the chief engineer of the fire department shall meet with the members of the common council at a regular meeting of the council.

(c) Upon request by the common council or any committee of the common council, the chair of the board, the vice chair of the board, or the executive director under sub. (5g) shall attend a meeting of the common council or a committee of the common council.

**SECTION 23.** 62.50 (6) of the statutes is renumbered 62.50 (6) (a) and amended to read:

62.50 (6) (a) If a vacancy exists in the office of chief of police or in the office of chief engineer of the fire department, the board by a majority vote shall appoint proper persons to fill such offices respectively. When filling a vacancy in the office of chief of police or in the office of chief engineer of the fire department ~~occurring after June 15, 1977~~, the board shall appoint the person to

a term of office the number of years and commencement date of which shall be set by the city of the 1st class by ordinance and which may not exceed 10 years, or for the remainder of an unexpired term.

**SECTION 24.** 62.50 (6) (b) of the statutes is created to read:

62.50 (6) (b) Before appointing or reappointing a chief of police or chief engineer of the fire department under this subsection, the board shall do all of the following:

1. Meet with representatives of the nonsupervisory employee association whose members will serve under the proposed chief.
2. Hold at least 2 public meetings to hear comments from residents of the city and other interested persons.

**SECTION 25.** 62.50 (6) (c) of the statutes is created to read:

62.50 (6) (c) If the board accepts an additional application for chief of police after the application period for accepting these applications has closed, the board shall reopen the application period for an additional 7 days beginning on the date it accepted the late application.

**SECTION 25m.** 62.50 (17) (a) of the statutes is amended to read:

62.50 (17) (a) Within 3 days after hearing the matter the board, or a 3-member panel of the board, shall review all of the evidence received and, by a majority vote of its members and subject to par. (b), determine whether by a preponderance of the evidence the charges are sustained. If the board or panel determines that the charges are sustained, the board shall at once determine whether the good of the service requires that the accused be permanently discharged or be suspended without pay for a period not exceeding 60 days or reduced in rank. If the charges are not sustained the accused shall be immediately reinstated in his or her former position, without prejudice. The decision and findings of the board, or panel, shall be in writing and shall be filed, together with a transcript of the evidence, with the secretary of the board.

**SECTION 25s.** 62.50 (19) of the statutes is amended to read:

62.50 (19) CHARGES BY AGGRIEVED PERSON. In cases where duly verified charges are filed by any aggrieved person with the board of fire and police commissioners, setting forth sufficient cause for the removal of any member of either of the departments, including the chiefs or their assistants, the board or chief may suspend such member or officer pending disposition of such charges. The board shall cause notice of the filing of the charges with a copy to be served upon the accused and shall set a date for the trial and investigation of the charges, following the procedure under this section. The board, or a 3-member panel of the board, shall review all of the evidence received and decide by a majority vote and subject to the just cause standard described in sub. (17) (b) whether the charges are sustained. If sustained, the board

shall immediately determine whether the good of the service requires that the accused be removed, suspended from office without pay for a period not exceeding 60 days or reduced in rank. If the charges are not sustained, the accused shall be immediately reinstated without prejudice. The secretary of the board shall make the decision public.

**SECTION 26.** 62.50 (21) of the statutes is amended to read:

62.50 (21) CERTIFICATION AND RETURN OF RECORD; HEARING. Upon the service of the demand under sub. (20), the board upon which the service is made shall within 5 days thereafter certify to the clerk of the circuit court of the county all charges, testimony, and everything relative to the trial and discharge, suspension or reduction in rank of the member. Upon the filing of the return with the clerk of court, actions for review shall be given preference. Upon application of the discharged member or the board, the court shall fix a date for the trial which shall be no later than 15 days after the date of the application except upon agreement between the board and the discharged or suspended member. ~~The action shall be tried by the court without a jury and shall be tried upon the return made by the board. In determining the question of fact presented, the court shall be limited in the review thereof to the question: "Under the evidence is there just cause, as described in sub. (17) (b), to sustain the charges against the accused?" The court may require additional return to be made by the board, and may also require the board to take additional testimony and make return thereof.~~

**SECTION 27.** 62.50 (21m) of the statutes is created to read:

62.50 (21m) REVIEW OF DISCIPLINARY DECISIONS. (a) The action filed under sub. (20) shall be tried by the court without a jury and, subject to par. (b), shall be limited to review of the following:

1. Whether the board followed appropriate procedure.
2. Whether the board considered all evidence received.
3. Whether there is just cause, as described in sub. (17) (b), to sustain the charges against the officer.

(b) In a review under this subsection:

1. If the court determines that the board failed to follow appropriate procedure or failed to consider all evidence received, the court shall review the decision of the board independently and without deference to the board's findings of fact and conclusions of law.
2. If the court determines that the board followed appropriate procedure and considered all evidence received, the court shall conduct the review under par. (a) 3. but shall adopt the board's findings of fact, except as provided under par. (c).

(c) A review under this subsection shall be confined to the record, except that the court may in its discretion allow the submission of additional evidence. If the court

allows the submission of additional evidence, the court may consider the additional evidence in its review under this subsection or remand the disciplinary decision to the board for further consideration under sub. (17) or (19).

**SECTION 28.** 62.51 (1) (a) of the statutes is amended to read:

62.51 (1) (a) "Public office" means the following positions or their equivalent: city engineer; city purchasing agent; commissioner of building inspection, of city development, of health or of public works; director of administration, of budget and management, of community development agency, of employee relations, of office of telecommunications, or of safety; emergency management coordinator; employee benefits administrator; executive director of the commission on community

relations; municipal port director; commissioner of assessments; director of liaison; city personnel director; executive director of the retirement board; executive director of the city board of election commissioners; city librarian; city labor negotiator; ~~executive secretary of the board of fire and police commissioners;~~ and supervisor of the central electronics board.

**SECTION 29. Initial applicability.**

(1) This act first applies to a vacancy on the board of fire and police commissioners, a vacancy on a board of police and fire commissioners, a vacancy in the office of chief of either department, a vacancy in a public office, or an action by an officer or member of either department that gives rise to the need for a disciplinary proceeding that occurs on the effective date of this subsection.

